

# **Exhibit 7**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

OPAWL – BUILDING AAPI FEMINIST  
LEADERSHIP et al.,

Plaintiffs,

v.

DAVE YOST, in his official capacity as  
Ohio Attorney General et al.,

Defendants.

Case No. 2:24-cv-3495

Judge Michael H. Watson

Magistrate Judge Kimberly A. Jolson

**DECLARATION OF JYOTI JASRASARIA IN SUPPORT OF  
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Jyoti Jasrasaria, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18 and competent to make this declaration. I am an attorney with the law firm of Elias Law Group LLP and am admitted to practice law in Massachusetts and the District of Columbia, as well as before multiple federal courts of appeals and district courts. I am admitted *pro hac vice* in the above-captioned matter and am an attorney for Plaintiffs. I submit this declaration to provide the Court with true and correct copies of certain documents submitted in connection with Plaintiffs' Motion for Preliminary Injunction.

2. Exhibit A is a true and correct copy of the enrolled version of H.B. 1, 135th Gen. Assemb., Spec. Sess. (Ohio 2024).

3. Exhibit B is a true and correct copy of S.B. 215, 135th Gen. Assemb., Reg. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at [https://search-prod.lis.state.oh.us/solarapi/v1/general\\_assembly\\_135/bills/sb215/PS/02/sb215\\_02\\_PS?format=pdf](https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/sb215/PS/02/sb215_02_PS?format=pdf).

4. Exhibit C is a true and correct copy of H.B. 114, 135th Gen. Assemb., Reg. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at [https://search-prod.lis.state.oh.us/solarapi/v1/general\\_assembly\\_135/bills/hb114/PS/04/hb114\\_04\\_PS?format=pdf](https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/hb114/PS/04/hb114_04_PS?format=pdf).

5. Exhibit D is a true and correct copy of H.B. 305, 135th Gen. Assemb., Reg. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at [https://search-prod.lis.state.oh.us/solarapi/v1/general\\_assembly\\_135/bills/hb305/PS/04/hb305\\_04\\_PS?format=pdf](https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/hb305/PS/04/hb305_04_PS?format=pdf).

6. Exhibit E is a true and correct copy of H.B. 271, 135th Gen. Assemb., Spec. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at [https://legislature.ohio.gov/files/special-session/hb271\\_03\\_PS.pdf](https://legislature.ohio.gov/files/special-session/hb271_03_PS.pdf).

7. Exhibit F is a true and correct copy of Governor Mike DeWine's May 23, 2024 Proclamation, last accessed on June 28, 2024, and available at [https://content.govdelivery.com/attachments/OHIOGOVERNOR/2024/05/23/file\\_attachments/2888202/Proclamation%20-%20Special%20Session.pdf](https://content.govdelivery.com/attachments/OHIOGOVERNOR/2024/05/23/file_attachments/2888202/Proclamation%20-%20Special%20Session.pdf).

8. Exhibit G is a true and correct copy of the February 21, 2024 Ohio Senate General Government Committee hearing on S.B. 215 and the associated certificate of transcriptionist.

9. Exhibit H is a true and correct copy of the May 8, 2024 Ohio Senate floor debate on H.B. 114 and the associated certificate of transcriptionist.

10. Exhibit I is a true and correct copy of the May 28, 2024 Ohio House Government Oversight Committee hearing on H.B. 1 and the associated certificate of transcriptionist.

11. Exhibit J is a true and correct copy of the May 29, 2024 Ohio House Government Oversight Committee hearing on H.B. 1 and the associated certificate of transcriptionist.

12. Exhibit K is a true and correct copy of the May 30, 2024 Ohio House Government Oversight Committee hearing on H.B. 1 and the associated certificate of transcriptionist.

13. Exhibit L is a true and correct copy of the May 30, 2024 Ohio House floor debate on H.B. 1 and the associated certificate of transcriptionist.

14. Exhibit M is a true and correct copy of the May 31, 2024 Ohio Senate floor debate on H.B. 1 and the associated certificate of transcriptionist.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2024

/s/ Jyoti Jasrasaria  
Jyoti Jasrasaria\*  
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*Attorneys for Plaintiffs*  
*\* Admitted pro hac vice*

# **Exhibit A**

(135th General Assembly)  
(Special Session)  
(Amended Substitute House Bill Number 1)

## AN ACT

To enact section 3517.121 of the Revised Code to modify the Campaign Finance Law regarding foreign nationals and ballot issues.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3517.121 of the Revised Code be enacted to read as follows:

Sec. 3517.121. Notwithstanding any contrary provision of the Revised Code:

(A) As used in this section:

(1) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.

(2) "Foreign national" means any of the following, as applicable:

(a) In the case of an individual, an individual who is not a United States citizen or national;

(b) A government of a foreign country or of a political subdivision of a foreign country;

(c) A foreign political party;

(d) A person, other than an individual, that is organized under the laws of, or has its principal place of business in, a foreign country.

(B) No foreign national shall, directly or indirectly through any person or entity, do any of the following:

(1) Make a contribution, expenditure, or independent expenditure in support of or opposition to a candidate for any elective office in this state, including an office of a political party;

(2) Make a contribution, expenditure, or independent expenditure in support of or opposition to a statewide ballot issue or question, regardless of whether the ballot issue or question has yet been certified to appear on the ballot;

(3) Make a disbursement for the direct cost of producing or airing an electioneering communication;

(4) Make a contribution to a candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund, to any committee created to support or oppose a ballot issue or question, or, to the maximum extent permitted by law and by the constitutions of the United States and of this state, to a continuing association;

(5) Promise, either expressly or implicitly, to make a contribution, expenditure, independent expenditure, or disbursement described in division (B)(1), (2), (3), or (4) of this section.

(C) No individual, candidate, campaign committee, political action committee, political

Am. Sub. H. B. No. 1

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contributing entity, legislative campaign fund, state candidate fund, political party, separate segregated fund, or committee created to support or oppose a ballot issue or question and, to the maximum extent permitted by law and by the constitutions of the United States and of this state, no continuing association shall, directly or indirectly through any other person or entity, knowingly do either of the following:

(1) Solicit, accept, or receive any funds from a foreign national for any purpose described in division (B) of this section;

(2) Make a contribution, expenditure, or independent expenditure using any funds the person knows were received from a foreign national for any purpose described in division (B) of this section.

(D) No person shall knowingly aid or facilitate a violation of division (B) or (C) of this section.

(E) Any complaint that alleges a violation of division (W) of section 3517.13 of the Revised Code shall be treated as instead alleging a violation of this section.

(F)(1) Whoever knowingly violates division (B) of this section is guilty of a misdemeanor of the first degree on a first offense and is guilty of a felony of the fifth degree on a second or subsequent offense. The violator also shall be fined an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater.

(2) Whoever knowingly violates division (C) of this section is guilty of a misdemeanor of the first degree on a first offense and is guilty of a felony of the fifth degree on a second or subsequent offense. The violator also shall be fined an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater, and shall be required to return the total amount accepted in violation of that division to the foreign national from whom it was accepted.

(3) Whoever knowingly violates division (D) of this section is guilty of a misdemeanor of the first degree and shall be fined one thousand dollars.

(G)(1)(a) Except as otherwise provided in division (G)(1)(b) of this section, the attorney general has exclusive authority to prosecute a violation of this section and has exclusive supervision and control of all investigations, prosecutions, and enforcement proceedings under this section.

(b) If the attorney general is a victim or witness or otherwise involved in an alleged violation of this section, the attorney general shall refer the matter to the appropriate prosecutor, as determined under division (A)(2) of section 3517.155 of the Revised Code, except that if applicable, the attorney general shall make the determination described in division (A)(2)(b) of that section instead of the Ohio elections commission.

(2) Upon the occurrence of either of the following, the attorney general shall investigate an alleged violation of this section in consultation with the secretary of state:

(a) The submission of a written request to the attorney general by the governor, the secretary of state, the general assembly, or the Ohio elections commission, alleging a violation of this section;

Am. Sub. H. B. No. 1

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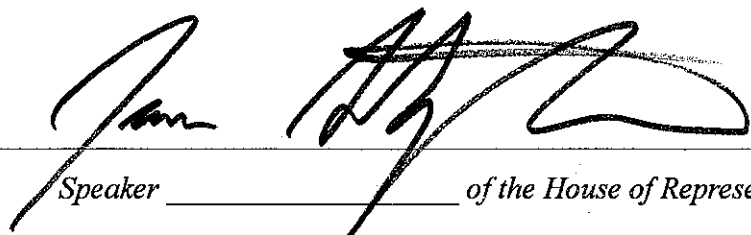
(b) The filing of a complaint with the attorney general by an elector of this state, alleging a violation of this section.

(3) If it appears to the attorney general, after conducting an investigation under division (G) (2) of this section, that there is probable cause to believe that a violation of this section has occurred, the attorney general may prosecute the violation in a court of competent jurisdiction.

(H) When proceeding under this section, the attorney general and any assistant or special counsel designated by the attorney general for that purpose have all the rights, privileges, and powers conferred by law on prosecuting attorneys, including the power to appear before grand juries and to interrogate witnesses before such grand juries. These powers of the attorney general are in addition to any other applicable powers of the attorney general.



Am. Sub. H. B. No. 1

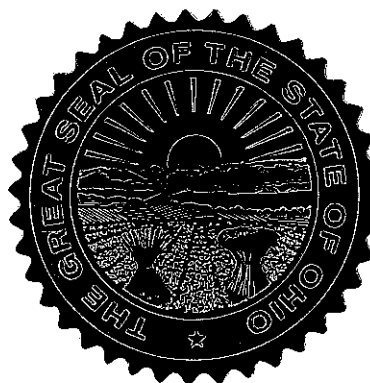
  
\_\_\_\_\_  
Speaker \_\_\_\_\_ of the House of Representatives.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the Senate.

Passed May 31, 2024

Approved JUNE 2, 2024

  
\_\_\_\_\_  
Governor.



Am. Sub. H. B. No. 1

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 2nd  
day of June, A. D. 2024.

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*Secretary of State.*

File No. 27      Effective Date 9/1/2024

(135th General Assembly)  
(Special Session)  
(Amended Substitute House Bill Number 1)

**AN ACT**

To enact section 3517.121 of the Revised Code to modify the Campaign Finance Law regarding foreign nationals and ballot issues.

*Introduced by*

Representative Seitz

Cosponsors: Representatives Abrams, Barhorst, Bird, Callender, Carruthers, Click, Creech, Cutrona, Daniels, Demetriou, Dobos, Edwards, Fowler Arthur, Ghanbari, Gross, Hall, Hillyer, Holmes, Hoops, John, Johnson, Jones, Kick, King, LaRe, Lipps, Loychik, McClain, Miller, K., Miller, M., Pavliga, Peterson, Plummer, Richardson, Robb Blasdel, Santucci, Schmidt, Stein, Stewart, Swearingen, Wiggam, Williams, Young, T. Senators Chavez, Cirino, Gavarone, Hackett, Huffman, S., Lang, McColley, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Wilkin

*Passed by the House of Representatives,*

May 30, 2024

*Passed by the Senate,*

May 31, 2024

*Filed in the office of the Secretary of State at  
Columbus, Ohio, on the*

2nd day of June, A. D. 2024

*Secretary of State.*

# **Exhibit B**

**As Passed by the Senate**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. S. B. No. 215**

**Senators Gavarone, McColley**

**Cosponsors: Senators Brenner, Chavez, Cirino, Hackett, Huffman, S., Johnson, Landis, Lang, O'Brien, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Wilkin**

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**A BILL**

To amend sections 3517.01, 3517.10, 3517.12, 1  
3517.13, 3517.155, and 3517.992 and to enact 2  
section 3517.121 of the Revised Code to prohibit 3  
foreign nationals from making contributions or 4  
expenditures regarding ballot issue campaigns. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3517.01, 3517.10, 3517.12, 6  
3517.13, 3517.155, and 3517.992 be amended and section 3517.121 7  
of the Revised Code be enacted to read as follows: 8

**Sec. 3517.01.** (A) (1) A political party within the meaning 9  
of Title XXXV of the Revised Code is any group of voters that 10  
meets either of the following requirements: 11

(a) Except as otherwise provided in this division, at the 12  
most recent regular state election, the group polled for its 13  
candidate for governor in the state or nominees for presidential 14  
electors at least three per cent of the entire vote cast for 15  
that office. A group that meets the requirements of this 16  
division remains a political party for a period of four years 17

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**As Passed by the Senate**

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after meeting those requirements. 18

(b) The group filed with the secretary of state, 19  
subsequent to its failure to meet the requirements of division 20  
(A) (1) (a) of this section, a party formation petition that meets 21  
all of the following requirements: 22

(i) The petition is signed by qualified electors equal in 23  
number to at least one per cent of the total vote for governor 24  
or nominees for presidential electors at the most recent 25  
election for such office. 26

(ii) The petition is signed by not fewer than five hundred 27  
qualified electors from each of at least a minimum of one-half 28  
of the congressional districts in this state. If an odd number 29  
of congressional districts exists in this state, the number of 30  
districts that results from dividing the number of congressional 31  
districts by two shall be rounded up to the next whole number. 32

(iii) The petition declares the petitioners' intention of 33  
organizing a political party, the name of which shall be stated 34  
in the declaration, and of participating in the succeeding 35  
general election, held in even-numbered years, that occurs more 36  
than one hundred twenty-five days after the date of filing. 37

(iv) The petition designates a committee of not less than 38  
three nor more than five individuals of the petitioners, who 39  
shall represent the petitioners in all matters relating to the 40  
petition. Notice of all matters or proceedings pertaining to the 41  
petition may be served on the committee, or any of them, either 42  
personally or by registered mail, or by leaving such notice at 43  
the usual place of residence of each of them. 44

(2) No such group of electors shall assume a name or 45  
designation that is similar, in the opinion of the secretary of 46

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state, to that of an existing political party as to confuse or 47  
mislead the voters at an election. 48

(B) A campaign committee shall be legally liable for any 49  
debts, contracts, or expenditures incurred or executed in its 50  
name. 51

(C) Notwithstanding the definitions found in section 52  
3501.01 of the Revised Code, as used in this section and 53  
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 54  
Revised Code: 55

(1) "Campaign committee" means a candidate or a 56  
combination of two or more persons authorized by a candidate 57  
under section 3517.081 of the Revised Code to receive 58  
contributions and make expenditures. 59

(2) "Campaign treasurer" means an individual appointed by 60  
a candidate under section 3517.081 of the Revised Code. 61

(3) "Candidate" has the same meaning as in division (H) of 62  
section 3501.01 of the Revised Code and also includes any person 63  
who, at any time before or after an election, receives 64  
contributions or makes expenditures or other use of 65  
contributions, has given consent for another to receive 66  
contributions or make expenditures or other use of 67  
contributions, or appoints a campaign treasurer, for the purpose 68  
of bringing about the person's nomination or election to public 69  
office. When two persons jointly seek the offices of governor 70  
and lieutenant governor, "candidate" means the pair of 71  
candidates jointly. "Candidate" does not include candidates for 72  
election to the offices of member of a county or state central 73  
committee, presidential elector, and delegate to a national 74  
convention or conference of a political party. 75

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(4) "Continuing association" means an association, other 76  
than a campaign committee, political party, legislative campaign 77  
fund, political contributing entity, or labor organization, that 78  
is intended to be a permanent organization that has a primary 79  
purpose other than supporting or opposing specific candidates, 80  
political parties, or ballot issues, and that functions on a 81  
regular basis throughout the year. "Continuing association" 82  
includes organizations that are determined to be not organized 83  
for profit under subsection 501 and that are described in 84  
subsection 501(c) (3), 501(c) (4), or 501(c) (6) of the Internal 85  
Revenue Code. 86

(5) "Contribution" means a loan, gift, deposit, 87  
forgiveness of indebtedness, donation, advance, payment, or 88  
transfer of funds or anything of value, including a transfer of 89  
funds from an inter vivos or testamentary trust or decedent's 90  
estate, and the payment by any person other than the person to 91  
whom the services are rendered for the personal services of 92  
another person, which contribution is made, received, or used 93  
for the purpose of influencing the results of an election. Any 94  
loan, gift, deposit, forgiveness of indebtedness, donation, 95  
advance, payment, or transfer of funds or of anything of value, 96  
including a transfer of funds from an inter vivos or 97  
testamentary trust or decedent's estate, and the payment by any 98  
campaign committee, political action committee, legislative 99  
campaign fund, political party, political contributing entity, 100  
or person other than the person to whom the services are 101  
rendered for the personal services of another person, that is 102  
made, received, or used by a state or county political party, 103  
other than the moneys an entity may receive under sections 104  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 105  
considered to be a "contribution" for the purpose of section 106



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3517.10 of the Revised Code and shall be included on a statement 107  
of contributions filed under that section. 108

"Contribution" does not include any of the following: 109

(a) Services provided without compensation by individuals 110  
volunteering a portion or all of their time on behalf of a 111  
person; 112

(b) Ordinary home hospitality; 113

(c) The personal expenses of a volunteer paid for by that 114  
volunteer campaign worker; 115

(d) Any gift given to an entity pursuant to section 116  
3517.101 of the Revised Code; 117

(e) Any contribution as defined in section 3517.1011 of 118  
the Revised Code that is made, received, or used to pay the 119  
direct costs of producing or airing an electioneering 120  
communication; 121

(f) Any gift given to a state or county political party 122  
for the party's restricted fund under division (A) (2) of section 123  
3517.1012 of the Revised Code; 124

(g) Any gift given to a state political party for deposit 125  
in a Levin account pursuant to section 3517.1013 of the Revised 126  
Code. As used in this division, "Levin account" has the same 127  
meaning as in that section. 128

(h) Any donation given to a transition fund under section 129  
3517.1014 of the Revised Code. 130

(6) "Expenditure" means the disbursement or use of a 131  
contribution or other funds or anything of value for the purpose 132  
of influencing the results of an election or of making a 133

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charitable donation under division (G) of section 3517.08 of the Revised Code. Any disbursement or use of a contribution by a state or county political party is an expenditure and shall be considered either to be made for the purpose of influencing the results of an election or to be made as a charitable donation under division (G) of section 3517.08 of the Revised Code and shall be reported on a statement of expenditures filed under section 3517.10 of the Revised Code. During the thirty days preceding a primary or general election, any disbursement to pay the direct costs of producing or airing a broadcast, cable, or satellite communication that refers to a clearly identified candidate shall be considered to be made for the purpose of influencing the results of that election and shall be reported as an expenditure or as an independent expenditure under section 3517.10 or 3517.105 of the Revised Code, as applicable, except that the information required to be reported regarding contributors for those expenditures or independent expenditures shall be the same as the information required to be reported under divisions (D)(1) and (2) of section 3517.1011 of the Revised Code.

As used in this division, "broadcast, cable, or satellite communication" and "refers to a clearly identified candidate" have the same meanings as in section 3517.1011 of the Revised Code.

(7) "Personal expenses" includes, but is not limited to, ordinary expenses for accommodations, clothing, food, personal motor vehicle or airplane, and home telephone.

(8) "Political action committee" means a combination of two or more persons, the primary or major purpose of which is to support or oppose any candidate, political party, or issue, or

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to influence the result of any election through express 164  
advocacy, and that is not a political party, a campaign 165  
committee, a political contributing entity, or a legislative 166  
campaign fund. "Political action committee" does not include 167  
either of the following: 168

(a) A continuing association that makes disbursements for 169  
the direct costs of producing or airing electioneering 170  
communications and that does not engage in express advocacy; 171

(b) A political club that is formed primarily for social 172  
purposes and that consists of one hundred members or less, has 173  
officers and periodic meetings, has less than two thousand five 174  
hundred dollars in its treasury at all times, and makes an 175  
aggregate total contribution of one thousand dollars or less per 176  
calendar year. 177

(9) "Public office" means any state, county, municipal, 178  
township, or district office, except an office of a political 179  
party, that is filled by an election and the offices of United 180  
States senator and representative. 181

(10) "Anything of value" has the same meaning as in 182  
section 1.03 of the Revised Code. 183

(11) "Beneficiary of a campaign fund" means a candidate, a 184  
public official or employee for whose benefit a campaign fund 185  
exists, and any other person who has ever been a candidate or 186  
public official or employee and for whose benefit a campaign 187  
fund exists. 188

(12) "Campaign fund" means money or other property, 189  
including contributions. 190

(13) "Public official or employee" has the same meaning as 191  
in section 102.01 of the Revised Code. 192

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(14) "Caucus" means all of the members of the house of 193  
representatives or all of the members of the senate of the 194  
general assembly who are members of the same political party. 195

(15) "Legislative campaign fund" means a fund that is 196  
established as an auxiliary of a state political party and 197  
associated with one of the houses of the general assembly. 198

(16) "In-kind contribution" means anything of value other 199  
than money that is used to influence the results of an election 200  
or is transferred to or used in support of or in opposition to a 201  
candidate, campaign committee, legislative campaign fund, 202  
political party, political action committee, or political 203  
contributing entity and that is made with the consent of, in 204  
coordination, cooperation, or consultation with, or at the 205  
request or suggestion of the benefited candidate, committee, 206  
fund, party, or entity. The financing of the dissemination, 207  
distribution, or republication, in whole or part, of any 208  
broadcast or of any written, graphic, or other form of campaign 209  
materials prepared by the candidate, the candidate's campaign 210  
committee, or their authorized agents is an in-kind contribution 211  
to the candidate and an expenditure by the candidate. 212

~~(17)~~ (17) (a) "Independent expenditure" means ~~an either of~~ 213  
the following: 214

(i) An expenditure by a person advocating the election or 215  
defeat of an identified candidate or candidates, that is not 216  
made with the consent of, in coordination, cooperation, or 217  
consultation with, or at the request or suggestion of any 218  
candidate or candidates or of the campaign committee or agent of 219  
the candidate or candidates; 220

(ii) An expenditure by a person advocating support of or 221

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opposition to an identified ballot issue or question or to 222  
achieve the successful circulation of an initiative or 223  
referendum petition in order to place such an issue or question 224  
on the ballot, regardless of whether the ballot issue or 225  
question has yet been certified to appear on the ballot. As 226

(b) As used in division ~~(C) (17)~~ (C) (17) (a) of this 227  
section: 228

~~(a)~~ (i) "Person" means an individual, partnership, 229  
unincorporated business organization or association, political 230  
action committee, political contributing entity, separate 231  
segregated fund, association, or other organization or group of 232  
persons, but not a labor organization or a corporation unless 233  
the labor organization or corporation is a political 234  
contributing entity. 235

~~(b)~~ (ii) "Advocating" means any communication containing a 236  
message advocating election or defeat. 237

~~(c)~~ (iii) "Identified candidate" means that the name of 238  
the candidate appears, a photograph or drawing of the candidate 239  
appears, or the identity of the candidate is otherwise apparent 240  
by unambiguous reference. 241

~~(d)~~ (iv) "Made in coordination, cooperation, or 242  
consultation with, or at the request or suggestion of, any 243  
candidate or the campaign committee or agent of the candidate" 244  
means made pursuant to any arrangement, coordination, or 245  
direction by the candidate, the candidate's campaign committee, 246  
or the candidate's agent prior to the publication, distribution, 247  
display, or broadcast of the communication. An expenditure is 248  
presumed to be so made when it is any of the following: 249

~~(i)~~ (I) Based on information about the candidate's plans, 250

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projects, or needs provided to the person making the expenditure 251  
 by the candidate, or by the candidate's campaign committee or 252  
 agent, with a view toward having an expenditure made; 253

~~(ii)~~ (II) Made by or through any person who is, or has 254  
 been, authorized to raise or expend funds, who is, or has been, 255  
 an officer of the candidate's campaign committee, or who is, or 256  
 has been, receiving any form of compensation or reimbursement 257  
 from the candidate or the candidate's campaign committee or 258  
 agent; 259

~~(iii)~~ (III) Except as otherwise provided in division (D) 260  
 of section 3517.105 of the Revised Code, made by a political 261  
 party in support of a candidate, unless the expenditure is made 262  
 by a political party to conduct voter registration or voter 263  
 education efforts. 264

~~(e)~~ (v) "Agent" means any person who has actual oral or 265  
 written authority, either express or implied, to make or to 266  
 authorize the making of expenditures on behalf of a candidate, 267  
 or means any person who has been placed in a position with the 268  
 candidate's campaign committee or organization such that it 269  
 would reasonably appear that in the ordinary course of campaign- 270  
 related activities the person may authorize expenditures. 271

(18) "Labor organization" means a labor union; an employee 272  
 organization; a federation of labor unions, groups, locals, or 273  
 other employee organizations; an auxiliary of a labor union, 274  
 employee organization, or federation of labor unions, groups, 275  
 locals, or other employee organizations; or any other bona fide 276  
 organization in which employees participate and that exists for 277  
 the purpose, in whole or in part, of dealing with employers 278  
 concerning grievances, labor disputes, wages, hours, and other 279  
 terms and conditions of employment. 280

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(19) "Separate segregated fund" means a separate 281  
segregated fund established pursuant to the Federal Election 282  
Campaign Act. 283

(20) "Federal Election Campaign Act" means the "Federal 284  
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 285  
seq., as amended. 286

(21) "Restricted fund" means the fund a state or county 287  
political party must establish under division (A) (1) of section 288  
3517.1012 of the Revised Code. 289

(22) "Electioneering communication" has the same meaning 290  
as in section 3517.1011 of the Revised Code. 291

(23) "Express advocacy" means a communication that 292  
contains express words advocating the nomination, election, or 293  
defeat of a candidate or that contains express words advocating 294  
the adoption or defeat of a question or issue, as determined by 295  
a final judgment of a court of competent jurisdiction. 296

(24) ~~"Political~~ "Federal political committee" has the same 297  
meaning as in section ~~3517.1011~~ 3517.107 of the Revised Code. 298

(25) "Political contributing entity" means any entity, 299  
including a corporation or labor organization, that may lawfully 300  
make contributions and expenditures and that is not an 301  
individual or a political action committee, continuing 302  
association, campaign committee, political party, legislative 303  
campaign fund, designated state campaign committee, or state 304  
candidate fund. For purposes of this division, "lawfully" means 305  
not prohibited by any section of the Revised Code, or authorized 306  
by a final judgment of a court of competent jurisdiction. 307

~~(26)~~ (26) (a) "Alternative political organization" means a 308  
continuing association, corporation, labor organization, or 309

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other person, other than an individual, that makes contributions 310  
or expenditures and that is not a campaign committee, political 311  
party, legislative campaign fund, designated state campaign 312  
committee, state candidate fund, federal political committee, 313  
separate segregated fund, political action committee, or 314  
political contributing entity. 315

(b) A person described in division (C) (26) (a) of this 316  
section that makes contributions or expenditures that are 317  
prohibited under section 3599.03 or another provision of the 318  
Revised Code nonetheless is considered an alternative political 319  
organization. 320

(c) "Alternative political organization" does not include 321  
a partnership or other unincorporated business that makes a 322  
contribution as described in division (I) of section 3517.10 of 323  
the Revised Code. 324

(27) "Internet identifier of record" has the same meaning 325  
as in section 9.312 of the Revised Code. 326

**Sec. 3517.10.** (A) Except as otherwise provided in this 327  
division, every campaign committee, political action committee, 328  
legislative campaign fund, political party, and political 329  
contributing entity that made or received a contribution or made 330  
an expenditure in connection with the nomination or election of 331  
any candidate or in connection with any ballot issue or question 332  
at any election held or to be held in this state shall file, on 333  
a form prescribed under this section or by electronic means of 334  
transmission as provided in this section and section 3517.106 of 335  
the Revised Code, a full, true, and itemized statement, made 336  
under penalty of election falsification, setting forth in detail 337  
the contributions and expenditures, not later than four p.m. of 338  
the following dates: 339



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(1) The twelfth day before the election to reflect 340  
contributions received and expenditures made from the close of 341  
business on the last day reflected in the last previously filed 342  
statement, if any, to the close of business on the twentieth day 343  
before the election; 344

(2) The thirty-eighth day after the election to reflect 345  
the contributions received and expenditures made from the close 346  
of business on the last day reflected in the last previously 347  
filed statement, if any, to the close of business on the seventh 348  
day before the filing of the statement; 349

(3) The last business day of January of every year to 350  
reflect the contributions received and expenditures made from 351  
the close of business on the last day reflected in the last 352  
previously filed statement, if any, to the close of business on 353  
the last day of December of the previous year; 354

(4) The last business day of July of every year to reflect 355  
the contributions received and expenditures made from the close 356  
of business on the last day reflected in the last previously 357  
filed statement, if any, to the close of business on the last 358  
day of June of that year. 359

A campaign committee shall only be required to file the 360  
statements prescribed under divisions (A)(1) and (2) of this 361  
section in connection with the nomination or election of the 362  
committee's candidate. 363

The statement required under division (A)(1) of this 364  
section shall not be required of any campaign committee, 365  
political action committee, legislative campaign fund, political 366  
party, or political contributing entity that has received 367  
contributions of less than one thousand dollars and has made 368

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expenditures of less than one thousand dollars at the close of 369  
business on the twentieth day before the election. Those 370  
contributions and expenditures shall be reported in the 371  
statement required under division (A) (2) of this section. 372

If an election to select candidates to appear on the 373  
general election ballot is held within sixty days before a 374  
general election, the campaign committee of a successful 375  
candidate in the earlier election may file the statement 376  
required by division (A) (1) of this section for the general 377  
election instead of the statement required by division (A) (2) of 378  
this section for the earlier election if the pregeneral election 379  
statement reflects the status of contributions and expenditures 380  
for the period twenty days before the earlier election to twenty 381  
days before the general election. 382

If a person becomes a candidate less than twenty days 383  
before an election, the candidate's campaign committee is not 384  
required to file the statement required by division (A) (1) of 385  
this section. 386

No statement under division (A) (3) of this section shall 387  
be required for any year in which a campaign committee, 388  
political action committee, legislative campaign fund, political 389  
party, or political contributing entity is required to file a 390  
postgeneral election statement under division (A) (2) of this 391  
section. However, a statement under division (A) (3) of this 392  
section may be filed, at the option of the campaign committee, 393  
political action committee, legislative campaign fund, political 394  
party, or political contributing entity. 395

No campaign committee of a candidate for the office of 396  
chief justice or justice of the supreme court, and no campaign 397  
committee of a candidate for the office of judge of any court in 398

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this state, shall be required to file a statement under division 399  
 (A) (4) of this section. 400

Except as otherwise provided in this paragraph and in the 401  
 next paragraph of this section, the only campaign committees 402  
 required to file a statement under division (A) (4) of this 403  
 section are the campaign committee of a statewide candidate and 404  
 the campaign committee of a candidate for county office. The 405  
 campaign committee of a candidate for any other nonjudicial 406  
 office is required to file a statement under division (A) (4) of 407  
 this section if that campaign committee receives, during that 408  
 period, contributions exceeding ten thousand dollars. 409

No statement under division (A) (4) of this section shall 410  
 be required of a campaign committee, a political action 411  
 committee, a legislative campaign fund, a political party, or a 412  
 political contributing entity for any year in which the campaign 413  
 committee, political action committee, legislative campaign 414  
 fund, political party, or political contributing entity is 415  
 required to file a postprimary election statement under division 416  
 (A) (2) of this section. However, a statement under division (A) 417  
 (4) of this section may be filed at the option of the campaign 418  
 committee, political action committee, legislative campaign 419  
 fund, political party, or political contributing entity. 420

No statement under division (A) (3) or (4) of this section 421  
 shall be required if the campaign committee, political action 422  
 committee, legislative campaign fund, political party, or 423  
 political contributing entity has no contributions that it has 424  
 received and no expenditures that it has made since the last 425  
 date reflected in its last previously filed statement. However, 426  
 the campaign committee, political action committee, legislative 427  
 campaign fund, political party, or political contributing entity 428

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shall file a statement to that effect, on a form prescribed 429  
under this section and made under penalty of election 430  
falsification, on the date required in division (A) (3) or (4) of 431  
this section, as applicable. 432

The campaign committee of a statewide candidate shall file 433  
a monthly statement of contributions received during each of the 434  
months of July, August, and September in the year of the general 435  
election in which the candidate seeks office. The campaign 436  
committee of a statewide candidate shall file the monthly 437  
statement not later than three business days after the last day 438  
of the month covered by the statement. During the period 439  
beginning on the nineteenth day before the general election in 440  
which a statewide candidate seeks election to office and 441  
extending through the day of that general election, each time 442  
the campaign committee of the joint candidates for the offices 443  
of governor and lieutenant governor or of a candidate for the 444  
office of secretary of state, auditor of state, treasurer of 445  
state, or attorney general receives a contribution from a 446  
contributor that causes the aggregate amount of contributions 447  
received from that contributor during that period to equal or 448  
exceed ten thousand dollars and each time the campaign committee 449  
of a candidate for the office of chief justice or justice of the 450  
supreme court receives a contribution from a contributor that 451  
causes the aggregate amount of contributions received from that 452  
contributor during that period to exceed ten thousand dollars, 453  
the campaign committee shall file a two-business-day statement 454  
reflecting that contribution. Contributions reported on a two- 455  
business-day statement required to be filed by a campaign 456  
committee of a statewide candidate in a primary election shall 457  
also be included in the postprimary election statement required 458  
to be filed by that campaign committee under division (A) (2) of 459

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this section. A two-business-day statement required by this 460  
paragraph shall be filed not later than two business days after 461  
receipt of the contribution. The statements required by this 462  
paragraph shall be filed in addition to any other statements 463  
required by this section. 464

Subject to the secretary of state having implemented, 465  
tested, and verified the successful operation of any system the 466  
secretary of state prescribes pursuant to divisions (C) (6) (b) 467  
and (D) (6) of this section and division (F) (1) of section 468  
3517.106 of the Revised Code for the filing of campaign finance 469  
statements by electronic means of transmission, a campaign 470  
committee of a statewide candidate shall file a two-business-day 471  
statement under the preceding paragraph by electronic means of 472  
transmission if the campaign committee is required to file a 473  
pre-election, postelection, or monthly statement of 474  
contributions and expenditures by electronic means of 475  
transmission under this section or section 3517.106 of the 476  
Revised Code. 477

If a campaign committee or political action committee has 478  
no balance on hand and no outstanding obligations and desires to 479  
terminate itself, it shall file a statement to that effect, on a 480  
form prescribed under this section and made under penalty of 481  
election falsification, with the official with whom it files a 482  
statement under division (A) of this section after filing a 483  
final statement of contributions and a final statement of 484  
expenditures, if contributions have been received or 485  
expenditures made since the period reflected in its last 486  
previously filed statement. 487

(B) Except as otherwise provided in division (C) (7) of 488  
this section, each statement required by division (A) of this 489

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section shall contain the following information: 490

(1) The full name and address of each campaign committee, 491  
 political action committee, legislative campaign fund, political 492  
 party, or political contributing entity, including any treasurer 493  
 of the committee, fund, party, or entity, filing a contribution 494  
 and expenditure statement; 495

(2) (a) In the case of a campaign committee, the 496  
 candidate's full name and address; 497

(b) In the case of a political action committee, the 498  
 registration number assigned to the committee under division (D) 499  
 (1) of this section. 500

(3) The date of the election and whether it was or will be 501  
 a general, primary, or special election; 502

(4) A statement of contributions received, which shall 503  
 include the following information: 504

(a) The month, day, and year of the contribution; 505

(b) (i) The full name and address of each person, political 506  
 party, campaign committee, legislative campaign fund, political 507  
 action committee, or political contributing entity from whom 508  
 contributions are received and the registration number assigned 509  
 to the political action committee under division (D) (1) of this 510  
 section. The requirement of filing the full address does not 511  
 apply to any statement filed by a state or local committee of a 512  
 political party, to a finance committee of such committee, or to 513  
 a committee recognized by a state or local committee as its 514  
 fund-raising auxiliary. Notwithstanding division (F) of this 515  
 section, the requirement of filing the full address shall be 516  
 considered as being met if the address filed is the same address 517  
 the contributor provided under division (E) (1) of this section. 518

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(ii) If a political action committee, political 519  
contributing entity, legislative campaign fund, or political 520  
party that is required to file campaign finance statements by 521  
electronic means of transmission under section 3517.106 of the 522  
Revised Code or a campaign committee of a statewide candidate or 523  
candidate for the office of member of the general assembly 524  
receives a contribution from an individual that exceeds one 525  
hundred dollars, the name of the individual's current employer, 526  
if any, or, if the individual is self-employed, the individual's 527  
occupation and the name of the individual's business, if any; 528

(iii) If a campaign committee of a statewide candidate or 529  
candidate for the office of member of the general assembly 530  
receives a contribution transmitted pursuant to section 3599.031 531  
of the Revised Code from amounts deducted from the wages and 532  
salaries of two or more employees that exceeds in the aggregate 533  
one hundred dollars during any one filing period under division 534  
(A) (1), (2), (3), or (4) of this section, the full name of the 535  
employees' employer and the full name of the labor organization 536  
of which the employees are members, if any. 537

(c) A description of the contribution received, if other 538  
than money; 539

(d) The value in dollars and cents of the contribution; 540

(e) A separately itemized account of all contributions and 541  
expenditures regardless of the amount, except a receipt of a 542  
contribution from a person in the sum of twenty-five dollars or 543  
less at one social or fund-raising activity and a receipt of a 544  
contribution transmitted pursuant to section 3599.031 of the 545  
Revised Code from amounts deducted from the wages and salaries 546  
of employees if the contribution from the amount deducted from 547  
the wages and salary of any one employee is twenty-five dollars 548

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or less aggregated in a calendar year. An account of the total 549  
contributions from each social or fund-raising activity shall 550  
include a description of and the value of each in-kind 551  
contribution received at that activity from any person who made 552  
one or more such contributions whose aggregate value exceeded 553  
two hundred fifty dollars and shall be listed separately, 554  
together with the expenses incurred and paid in connection with 555  
that activity. A campaign committee, political action committee, 556  
legislative campaign fund, political party, or political 557  
contributing entity shall keep records of contributions from 558  
each person in the amount of twenty-five dollars or less at one 559  
social or fund-raising activity and contributions from amounts 560  
deducted under section 3599.031 of the Revised Code from the 561  
wages and salary of each employee in the amount of twenty-five 562  
dollars or less aggregated in a calendar year. No continuing 563  
association that is recognized by a state or local committee of 564  
a political party as an auxiliary of the party and that makes a 565  
contribution from funds derived solely from regular dues paid by 566  
members of the auxiliary shall be required to list the name or 567  
address of any members who paid those dues. 568

Contributions that are other income shall be itemized 569  
separately from all other contributions. The information 570  
required under division (B) (4) of this section shall be provided 571  
for all other income itemized. As used in this paragraph, "other 572  
income" means a loan, investment income, or interest income. 573

(f) In the case of a campaign committee of a state elected 574  
officer, if a person doing business with the state elected 575  
officer in the officer's official capacity makes a contribution 576  
to the campaign committee of that officer, the information 577  
required under division (B) (4) of this section in regard to that 578  
contribution, which shall be filed together with and considered 579



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a part of the committee's statement of contributions as required 580  
under division (A) of this section but shall be filed on a 581  
separate form provided by the secretary of state. As used in 582  
this division: 583

(i) "State elected officer" has the same meaning as in 584  
section 3517.092 of the Revised Code. 585

(ii) "Person doing business" means a person or an officer 586  
of an entity who enters into one or more contracts with a state 587  
elected officer or anyone authorized to enter into contracts on 588  
behalf of that officer to receive payments for goods or 589  
services, if the payments total, in the aggregate, more than 590  
five thousand dollars during a calendar year. 591

(5) A statement of expenditures which shall include the 592  
following information: 593

(a) The month, day, and year of the expenditure; 594

(b) The full name and address of each person, political 595  
party, campaign committee, legislative campaign fund, political 596  
action committee, or political contributing entity to whom the 597  
expenditure was made and the registration number assigned to the 598  
political action committee under division (D)(1) of this 599  
section; 600

(c) The object or purpose for which the expenditure was 601  
made; 602

(d) The amount of each expenditure. 603

(C)(1) The statement of contributions and expenditures 604  
shall be signed by the person completing the form. If a 605  
statement of contributions and expenditures is filed by 606  
electronic means of transmission pursuant to this section or 607

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section 3517.106 of the Revised Code, the electronic signature 608  
of the person who executes the statement and transmits the 609  
statement by electronic means of transmission, as provided in 610  
division (F) of section 3517.106 of the Revised Code, shall be 611  
attached to or associated with the statement and shall be 612  
binding on all persons and for all purposes under the campaign 613  
finance reporting law as if the signature had been handwritten 614  
in ink on a printed form. 615

(2) The person filing the statement, under penalty of 616  
election falsification, shall include with it a both of the 617  
following: 618

(a) A list of each anonymous contribution, the 619  
circumstances under which it was received, and the reason it 620  
cannot be attributed to a specific donor; 621

(b) A certification that the campaign committee, political 622  
action committee, legislative campaign fund, political party, or 623  
political contributing entity, as applicable, has not accepted 624  
any contribution that is prohibited under this chapter or 625  
section 3599.03 or 3599.031 of the Revised Code during the 626  
period covered by the statement. 627

(3) Each statement of a campaign committee of a candidate 628  
who holds public office shall contain a designation of each 629  
contributor who is an employee in any unit or department under 630  
the candidate's direct supervision and control. In a space 631  
provided in the statement, the person filing the statement shall 632  
affirm that each such contribution was voluntarily made. 633

(4) A campaign committee that did not receive 634  
contributions or make expenditures in connection with the 635  
nomination or election of its candidate shall file a statement 636

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to that effect, on a form prescribed under this section and made 637  
under penalty of election falsification, on the date required in 638  
division (A) (2) of this section. 639

(5) The campaign committee of any person who attempts to 640  
become a candidate and who, for any reason, does not become 641  
certified in accordance with Title XXXV of the Revised Code for 642  
placement on the official ballot of a primary, general, or 643  
special election to be held in this state, and who, at any time 644  
prior to or after an election, receives contributions or makes 645  
expenditures, or has given consent for another to receive 646  
contributions or make expenditures, for the purpose of bringing 647  
about the person's nomination or election to public office, 648  
shall file the statement or statements prescribed by this 649  
section and a termination statement, if applicable. Division (C) 650  
(5) of this section does not apply to any person with respect to 651  
an election to the offices of member of a county or state 652  
central committee, presidential elector, or delegate to a 653  
national convention or conference of a political party. 654

(6) (a) The statements required to be filed under this 655  
section shall specify the balance in the hands of the campaign 656  
committee, political action committee, legislative campaign 657  
fund, political party, or political contributing entity and the 658  
disposition intended to be made of that balance. 659

(b) The secretary of state shall prescribe the form for 660  
all statements required to be filed under this section and shall 661  
furnish the forms to the boards of elections in the several 662  
counties. The boards of elections shall supply printed copies of 663  
those forms without charge. The secretary of state shall 664  
prescribe the appropriate methodology, protocol, and data file 665  
structure for statements required or permitted to be filed by 666

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electronic means of transmission to the secretary of state or a  
board of elections under division (A) of this section, division  
(E) of section 3517.106, division (D) of section 3517.1011,  
division (B) of section 3517.1012, division (C) of section  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the  
Revised Code. Subject to division (A) of this section, division  
(E) of section 3517.106, division (D) of section 3517.1011,  
division (B) of section 3517.1012, division (C) of section  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the  
Revised Code, the statements required to be stored on computer  
by the secretary of state under division (B) of section 3517.106  
of the Revised Code shall be filed in whatever format the  
secretary of state considers necessary to enable the secretary  
of state to store the information contained in the statements on  
computer. Any such format shall be of a type and nature that is  
readily available to whoever is required to file the statements  
in that format.

(c) The secretary of state shall assess the need for  
training regarding the filing of campaign finance statements by  
electronic means of transmission and regarding associated  
technologies for candidates, campaign committees, political  
action committees, legislative campaign funds, political  
parties, or political contributing entities, for individuals,  
partnerships, or other entities, for persons making  
disbursements to pay the direct costs of producing or airing  
electioneering communications, or for treasurers of transition  
funds, required or permitted to file statements by electronic  
means of transmission under this section or section 3517.105,  
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the  
Revised Code. If, in the opinion of the secretary of state,  
training in these areas is necessary, the secretary of state

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shall arrange for the provision of voluntary training programs 698  
 for candidates, campaign committees, political action 699  
 committees, legislative campaign funds, political parties, or 700  
 political contributing entities, for individuals, partnerships, 701  
 and other entities, for persons making disbursements to pay the 702  
 direct costs of producing or airing electioneering 703  
 communications, or for treasurers of transition funds, as 704  
 appropriate. 705

(7) Each monthly statement and each two-business-day 706  
 statement required by division (A) of this section shall contain 707  
 the information required by divisions (B) (1) to (4), (C) (2), 708  
 and, if appropriate, (C) (3) of this section. Each statement 709  
 shall be signed as required by division (C) (1) of this section. 710

(D) (1) (a) Prior to receiving a contribution or making an 711  
 expenditure, every campaign committee, political action 712  
 committee, legislative campaign fund, political party, or 713  
 political contributing entity shall appoint a treasurer and 714  
 shall file, on a form prescribed by the secretary of state, a 715  
 designation of that appointment, including the full name and 716  
 address of the treasurer and of the campaign committee, 717  
 political action committee, legislative campaign fund, political 718  
 party, or political contributing entity. That designation shall 719  
 be filed with the official with whom the campaign committee, 720  
 political action committee, legislative campaign fund, political 721  
 party, or political contributing entity is required to file 722  
 statements under section 3517.11 of the Revised Code. The name 723  
 of a campaign committee shall include at least the last name of 724  
 the campaign committee's candidate. If two or more candidates 725  
 are the beneficiaries of a single campaign committee under 726  
 division (B) of section 3517.081 of the Revised Code, the name 727  
 of the campaign committee shall include at least the last name 728

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of each candidate who is a beneficiary of that campaign 729  
committee. The secretary of state shall assign a registration 730  
number to each political action committee that files a 731  
designation of the appointment of a treasurer under this 732  
division if the political action committee is required by 733  
division (A)(1) of section 3517.11 of the Revised Code to file 734  
the statements prescribed by this section with the secretary of 735  
state. 736

(b) The form of the designation of treasurer shall require 737  
the filer to certify, under penalty of election falsification, 738  
that the campaign committee, political action committee, 739  
legislative campaign fund, political party, or political 740  
contributing entity, as applicable, has not accepted, and will 741  
not accept, any contribution that is prohibited under this 742  
chapter or section 3599.03 or 3599.031 of the Revised Code. 743

(c) The secretary of state shall not accept for filing a 744  
designation of treasurer of a political action committee or 745  
political contributing entity if, in the opinion of the 746  
secretary of state, the name of the political action committee 747  
or political contributing entity would lead a reasonable person 748  
to believe that the political action committee or political 749  
contributing entity acts on behalf of or represents a county 750  
political party, unless the designation is accompanied by a 751  
written statement, signed by the chairperson of the county 752  
political party's executive committee, granting the political 753  
action committee or political contributing entity permission to 754  
act on behalf of or represent the county political party. 755

(2) The treasurer appointed under division (D)(1) of this 756  
section shall keep a strict account of all contributions, from 757  
whom received and the purpose for which they were disbursed. 758

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(3) (a) Except as otherwise provided in section 3517.108 of 759  
the Revised Code, a campaign committee shall deposit all 760  
monetary contributions received by the committee into an account 761  
separate from a personal or business account of the candidate or 762  
campaign committee. 763

(b) A political action committee shall deposit all 764  
monetary contributions received by the committee into an account 765  
separate from all other funds. 766

(c) A state or county political party may establish a 767  
state candidate fund that is separate from all other funds. A 768  
state or county political party may deposit into its state 769  
candidate fund any amounts of monetary contributions that are 770  
made to or accepted by the political party subject to the 771  
applicable limitations, if any, prescribed in section 3517.102 772  
of the Revised Code. A state or county political party shall 773  
deposit all other monetary contributions received by the party 774  
into one or more accounts that are separate from its state 775  
candidate fund. 776

(d) Each state political party shall have only one 777  
legislative campaign fund for each house of the general 778  
assembly. Each such fund shall be separate from any other funds 779  
or accounts of that state party. A legislative campaign fund is 780  
authorized to receive contributions and make expenditures for 781  
the primary purpose of furthering the election of candidates who 782  
are members of that political party to the house of the general 783  
assembly with which that legislative campaign fund is 784  
associated. Each legislative campaign fund shall be administered 785  
and controlled in a manner designated by the caucus. As used in 786  
this division, "caucus" has the same meaning as in section 787  
3517.01 of the Revised Code and includes, as an ex officio 788

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member, the chairperson of the state political party with which 789  
the caucus is associated or that chairperson's designee. 790

(4) Every expenditure in excess of twenty-five dollars 791  
shall be vouched for by a receipted bill, stating the purpose of 792  
the expenditure, that shall be filed with the statement of 793  
expenditures. A canceled check with a notation of the purpose of 794  
the expenditure is a receipted bill for purposes of division (D) 795  
(4) of this section. 796

(5) The secretary of state or the board of elections, as 797  
the case may be, shall issue a receipt for each statement filed 798  
under this section and shall preserve a copy of the receipt for 799  
a period of at least six years. All statements filed under this 800  
section shall be open to public inspection in the office where 801  
they are filed and shall be carefully preserved for a period of 802  
at least six years after the year in which they are filed. 803

(6) The secretary of state, by rule adopted pursuant to 804  
section 3517.23 of the Revised Code, shall prescribe both of the 805  
following: 806

(a) The manner of immediately acknowledging, with date and 807  
time received, and preserving the receipt of statements that are 808  
transmitted by electronic means of transmission to the secretary 809  
of state or a board of elections pursuant to this section or 810  
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 811  
of the Revised Code; 812

(b) The manner of preserving the contribution and 813  
expenditure, contribution and disbursement, deposit and 814  
disbursement, gift and disbursement, or donation and 815  
disbursement information in the statements described in division 816  
(D) (6) (a) of this section. The secretary of state shall preserve 817



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the contribution and expenditure, contribution and disbursement, 818  
deposit and disbursement, gift and disbursement, or donation and 819  
disbursement information in those statements for at least ten 820  
years after the year in which they are filed by electronic means 821  
of transmission. 822

(7) (a) The secretary of state, pursuant to division (G) of 823  
section 3517.106 of the Revised Code, shall make available 824  
online to the public through the internet the contribution and 825  
expenditure, contribution and disbursement, deposit and 826  
disbursement, gift and disbursement, or donation and 827  
disbursement information in all of the following documents: 828

(i) All statements, all addenda, amendments, or other 829  
corrections to statements, and all amended statements filed with 830  
the secretary of state by electronic or other means of 831  
transmission under this section, division (B) (2) (b) or (C) (2) (b) 832  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 833  
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 834

(ii) All statements filed with a board of elections by 835  
electronic means of transmission, and all addenda, amendments, 836  
corrections, and amended versions of those statements, filed 837  
with the board under this section, division (B) (2) (b) or (C) (2) 838  
(b) of section 3517.105, or section 3517.106, 3517.1012, or 839  
3517.11 of the Revised Code. 840

(b) The secretary of state may remove the information from 841  
the internet after a reasonable period of time. 842

(E) (1) Any person, political party, campaign committee, 843  
legislative campaign fund, political action committee, or 844  
political contributing entity that makes a contribution in 845  
connection with the nomination or election of any candidate or 846

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in connection with any ballot issue or question at any election 847  
held or to be held in this state shall provide its full name and 848  
address to the recipient of the contribution at the time the 849  
contribution is made. The political action committee also shall 850  
provide the registration number assigned to the committee under 851  
division (D) (1) of this section to the recipient of the 852  
contribution at the time the contribution is made. 853

(2) Any individual who makes a contribution that exceeds 854  
one hundred dollars to a political action committee, political 855  
contributing entity, legislative campaign fund, or political 856  
party or to a campaign committee of a statewide candidate or 857  
candidate for the office of member of the general assembly shall 858  
provide the name of the individual's current employer, if any, 859  
or, if the individual is self-employed, the individual's 860  
occupation and the name of the individual's business, if any, to 861  
the recipient of the contribution at the time the contribution 862  
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 863  
apply to division (E) (2) of this section. 864

(3) If a campaign committee shows that it has exercised 865  
its best efforts to obtain, maintain, and submit the information 866  
required under divisions (B) (4) (b) (ii) and (iii) of this 867  
section, that committee is considered to have met the 868  
requirements of those divisions. A campaign committee shall not 869  
be considered to have exercised its best efforts unless, in 870  
connection with written solicitations, it regularly includes a 871  
written request for the information required under division (B) 872  
(4) (b) (ii) of this section from the contributor or the 873  
information required under division (B) (4) (b) (iii) of this 874  
section from whoever transmits the contribution. 875

(4) Any check that a political action committee uses to 876

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make a contribution or an expenditure shall contain the full 877  
name and address of the committee and the registration number 878  
assigned to the committee under division (D) (1) of this section. 879

(F) As used in this section: 880

(1) (a) Except as otherwise provided in division (F) (1) of 881  
this section, "address" means all of the following if they 882  
exist: apartment number, street, road, or highway name and 883  
number, rural delivery route number, city or village, state, and 884  
zip code as used in a person's post-office address, but not 885  
post-office box. 886

(b) Except as otherwise provided in division (F) (1) of 887  
this section, if an address is required in this section, a post- 888  
office box and office, room, or suite number may be included in 889  
addition to, but not in lieu of, an apartment, street, road, or 890  
highway name and number. 891

(c) If an address is required in this section, a campaign 892  
committee, political action committee, legislative campaign 893  
fund, political party, or political contributing entity may use 894  
the business or residence address of its treasurer or deputy 895  
treasurer. The post-office box number of the campaign committee, 896  
political action committee, legislative campaign fund, political 897  
party, or political contributing entity may be used in addition 898  
to that address. 899

(d) For the sole purpose of a campaign committee's 900  
reporting of contributions on a statement of contributions 901  
received under division (B) (4) of this section, "address" has 902  
one of the following meanings at the option of the campaign 903  
committee: 904

(i) The same meaning as in division (F) (1) (a) of this 905

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section; 906

(ii) All of the following, if they exist: the 907  
contributor's post-office box number and city or village, state, 908  
and zip code as used in the contributor's post-office address. 909

(e) As used with regard to the reporting under this 910  
section of any expenditure, "address" means all of the following 911  
if they exist: apartment number, street, road, or highway name 912  
and number, rural delivery route number, city or village, state, 913  
and zip code as used in a person's post-office address, or post- 914  
office box. If an address concerning any expenditure is required 915  
in this section, a campaign committee, political action 916  
committee, legislative campaign fund, political party, or 917  
political contributing entity may use the business or residence 918  
address of its treasurer or deputy treasurer or its post-office 919  
box number. 920

(2) "Statewide candidate" means the joint candidates for 921  
the offices of governor and lieutenant governor or a candidate 922  
for the office of secretary of state, auditor of state, 923  
treasurer of state, attorney general, member of the state board 924  
of education, chief justice of the supreme court, or justice of 925  
the supreme court. 926

(3) "Candidate for county office" means a candidate for 927  
the office of county auditor, county treasurer, clerk of the 928  
court of common pleas, judge of the court of common pleas, 929  
sheriff, county recorder, county engineer, county commissioner, 930  
prosecuting attorney, or coroner. 931

(G) An independent expenditure shall be reported whenever 932  
and in the same manner that an expenditure is required to be 933  
reported under this section and shall be reported pursuant to 934

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division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the 935  
Revised Code. 936

(H) (1) Except as otherwise provided in division (H) (2) of 937  
this section, if, during the combined pre-election and 938  
postelection reporting periods for an election, a campaign 939  
committee has received contributions of five hundred dollars or 940  
less and has made expenditures in the total amount of five 941  
hundred dollars or less, it may file a statement to that effect, 942  
under penalty of election falsification, in lieu of the 943  
statement required by division (A) (2) of this section. The 944  
statement shall indicate the total amount of contributions 945  
received and the total amount of expenditures made during those 946  
combined reporting periods. 947

(2) In the case of a successful candidate at a primary 948  
election, if either the total contributions received by or the 949  
total expenditures made by the candidate's campaign committee 950  
during the preprimary, postprimary, pregeneral, and postgeneral 951  
election periods combined equal more than five hundred dollars, 952  
the campaign committee may file the statement under division (H) 953  
(1) of this section only for the primary election. The first 954  
statement that the campaign committee files in regard to the 955  
general election shall reflect all contributions received and 956  
all expenditures made during the preprimary and postprimary 957  
election periods. 958

(3) Divisions (H) (1) and (2) of this section do not apply 959  
if a campaign committee receives contributions or makes 960  
expenditures prior to the first day of January of the year of 961  
the election at which the candidate seeks nomination or election 962  
to office or if the campaign committee does not file a 963  
termination statement with its postprimary election statement in 964

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the case of an unsuccessful primary election candidate or with 965  
its postgeneral election statement in the case of other 966  
candidates. 967

(I) In the case of a contribution made by a partner of a 968  
partnership or an owner or a member of another unincorporated 969  
business from any funds of the partnership or other 970  
unincorporated business, all of the following apply: 971

(1) The recipient of the contribution shall report the 972  
contribution by listing both the partnership or other 973  
unincorporated business and the name of the partner, owner, or 974  
member making the contribution. 975

(2) In reporting the contribution, the recipient of the 976  
contribution shall be entitled to conclusively rely upon the 977  
information provided by the partnership or other unincorporated 978  
business, provided that the information includes one of the 979  
following: 980

(a) The name of each partner, owner, or member as of the 981  
date of the contribution or contributions, and a statement that 982  
the total contributions are to be allocated equally among all of 983  
the partners, owners, or members; or 984

(b) The name of each partner, owner, or member as of the 985  
date of the contribution or contributions who is participating 986  
in the contribution or contributions, and a statement that the 987  
contribution or contributions are to be allocated to those 988  
individuals in accordance with the information provided by the 989  
partnership or other unincorporated business to the recipient of 990  
the contribution. 991

(3) For purposes of section 3517.102 of the Revised Code, 992  
the contribution shall be considered to have been made by the 993

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partner, owner, or member reported under division (I) (1) of this 994  
 section. 995

(4) No contribution from a partner of a partnership or an 996  
 owner or a member of another unincorporated business shall be 997  
 accepted from any funds of the partnership or other 998  
 unincorporated business unless the recipient reports the 999  
 contribution under division (I) (1) of this section together with 1000  
 the information provided under division (I) (2) of this section. 1001

(5) No partnership or other unincorporated business shall 1002  
 make a contribution or contributions solely in the name of the 1003  
 partnership or other unincorporated business. 1004

(6) As used in division (I) of this section, "partnership 1005  
 or other unincorporated business" includes, but is not limited 1006  
 to, a cooperative, a sole proprietorship, a general partnership, 1007  
 a limited partnership, a limited partnership association, a 1008  
 limited liability partnership, and a limited liability company. 1009

(J) A candidate shall have only one campaign committee at 1010  
 any given time for all of the offices for which the person is a 1011  
 candidate or holds office. 1012

(K) (1) In addition to filing a designation of appointment 1013  
 of a treasurer under division (D) (1) of this section, the 1014  
 campaign committee of any candidate for an elected municipal 1015  
 office that pays an annual amount of compensation of five 1016  
 thousand dollars or less, the campaign committee of any 1017  
 candidate for member of a board of education except member of 1018  
 the state board of education, or the campaign committee of any 1019  
 candidate for township trustee or township fiscal officer may 1020  
 sign, under penalty of election falsification, a certificate 1021  
 attesting that the committee will not accept contributions 1022

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during an election period that exceed in the aggregate two 1023  
thousand dollars from all contributors and one hundred dollars 1024  
from any one individual, and that the campaign committee will 1025  
not make expenditures during an election period that exceed in 1026  
the aggregate two thousand dollars. 1027

The certificate shall be on a form prescribed by the 1028  
secretary of state and shall be filed not later than ten days 1029  
after the candidate files a declaration of candidacy and 1030  
petition, a nominating petition, or a declaration of intent to 1031  
be a write-in candidate. 1032

(2) Except as otherwise provided in division (K) (3) of 1033  
this section, a campaign committee that files a certificate 1034  
under division (K) (1) of this section is not required to file 1035  
the statements required by division (A) of this section. 1036

(3) If, after filing a certificate under division (K) (1) 1037  
of this section, a campaign committee exceeds any of the 1038  
limitations described in that division during an election 1039  
period, the certificate is void and thereafter the campaign 1040  
committee shall file the statements required by division (A) of 1041  
this section. If the campaign committee has not previously filed 1042  
a statement, then on the first statement the campaign committee 1043  
is required to file under division (A) of this section after the 1044  
committee's certificate is void, the committee shall report all 1045  
contributions received and expenditures made from the time the 1046  
candidate filed the candidate's declaration of candidacy and 1047  
petition, nominating petition, or declaration of intent to be a 1048  
write-in candidate. 1049

(4) As used in division (K) of this section, "election 1050  
period" means the period of time beginning on the day a person 1051  
files a declaration of candidacy and petition, nominating 1052



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petition, or declaration of intent to be a write-in candidate 1053  
 through the day of the election at which the person seeks 1054  
 nomination to office if the person is not elected to office, or, 1055  
 if the candidate was nominated in a primary election, the day of 1056  
 the election at which the candidate seeks office. 1057

(L) A political contributing entity that receives 1058  
 contributions from the dues, membership fees, or other 1059  
 assessments of its members or from its officers, shareholders, 1060  
 and employees may report the aggregate amount of contributions 1061  
 received from those contributors and the number of individuals 1062  
 making those contributions, for each filing period under 1063  
 divisions (A) (1), (2), (3), and (4) of this section, rather than 1064  
 reporting information as required under division (B) (4) of this 1065  
 section, including, when applicable, the name of the current 1066  
 employer, if any, of a contributor whose contribution exceeds 1067  
 one hundred dollars or, if such a contributor is self-employed, 1068  
 the contributor's occupation and the name of the contributor's 1069  
 business, if any. Division (B) (4) of this section applies to a 1070  
 political contributing entity with regard to contributions it 1071  
 receives from all other contributors. 1072

**Sec. 3517.12.** ~~(A) Prior to receiving a contribution or~~ 1073  
~~making an expenditure, the circulator or~~ If the committee in 1074  
 charge of an initiative or referendum petition, or supplementary 1075  
 petition for additional signatures, for the submission to the 1076  
electors of a constitutional amendment, proposed law, section, 1077  
~~or item of any law~~ ballot issue or question receives a 1078  
contribution or makes an expenditure for the purpose of 1079  
achieving the successful circulation of the petition, the 1080  
committee is considered a political action committee for that 1081  
purpose and shall appoint a treasurer and shall file with the 1082  
~~secretary of state, on a form prescribed by the secretary of~~ 1083

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~~state, a designation of that appointment, including the full-~~ 1084  
~~name and address of the treasurer and of the circulator or~~ 1085  
~~committee~~ comply with all applicable requirements of this 1086  
chapter concerning political action committees, including filing 1087  
a designation of treasurer under division (D) of section 3517.10 1088  
of the Revised Code before receiving a contribution or making an 1089  
expenditure and filing all required statements of contributions 1090  
and expenditures. 1091

(B) ~~The circulator or~~ If the committee in charge of an 1092  
initiative or referendum petition, or supplementary petition for 1093  
additional signatures, for the submission to the electors of a 1094  
~~constitutional amendment, proposed law, section, or item of any~~ 1095  
~~law ballot issue or question receives no contributions and makes~~ 1096  
no expenditures for the purpose of achieving the successful 1097  
circulation of the petition, and is not otherwise considered a 1098  
campaign committee, political party, legislative campaign fund, 1099  
political action committee, or political contributing entity, 1100  
then the committee shall, within thirty days after those the 1101  
~~petition papers are~~ is ~~filed, file with the secretary of state~~ 1102  
office with which the petition is filed, on a form prescribed by 1103  
the secretary of state, an itemized a statement, made under 1104  
penalty of election falsification, showing in detail the 1105  
following: 1106

~~(1) All money or things of value paid, given, promised, or~~ 1107  
~~received for circulating the petitions;~~ 1108

~~(2) All appointments, promotions, or increases in salary,~~ 1109  
~~in positions which were given, promised, or received, or to~~ 1110  
~~obtain which assistance was given, promised, or received as a~~ 1111  
~~consideration for work done in circulating petitions;~~ 1112

~~(3) Full names and addresses, including street, city, and~~ 1113

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~~state, of all persons to whom such payments or promises were~~ 1114  
~~made and of all persons from whom such payments or promises were~~ 1115  
~~received;~~ 1116

~~(4) Full names and addresses, including street, city, and~~ 1117  
~~state, of all persons who contributed anything of value to be~~ 1118  
~~used in circulating the petitions, and the amounts of those~~ 1119  
~~contributions;~~ 1120

~~(5) Time spent and salaries earned while soliciting~~ 1121  
~~signatures to petitions by persons who were regular salaried~~ 1122  
~~employees of some person or whom that employer authorized to~~ 1123  
~~solicit as part of their regular duties.~~ 1124

~~If that the committee received no money or things of~~ 1125  
~~value were paid or received or if no promises were made or~~ 1126  
~~received as a consideration for work done in circulating a~~ 1127  
~~petition, the statement shall contain words to that effect~~ 1128  
~~contributions and made no expenditures for the purpose of~~ 1129  
~~achieving the successful circulation of the petition.~~ 1130

~~(C) The treasurer designated under division (A) of this~~ 1131  
~~section shall file statements of contributions and expenditures~~ 1132  
~~in accordance with section 3517.10 of the Revised Code regarding~~ 1133  
~~all contributions made or received and all expenditures made by~~ 1134  
~~that treasurer or the circulator or committee in connection with~~ 1135  
~~the initiative or referendum petition, or supplementary petition~~ 1136  
~~for additional signatures, for the submission of a~~ 1137  
~~constitutional amendment, proposed law, section, or item of any~~ 1138  
~~law.~~ 1139

**Sec. 3517.121.** (A) Before receiving a contribution, as 1140  
defined in section 3517.01 of the Revised Code, or making an 1141  
expenditure on or after the effective date of this section, 1142

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every alternative political organization shall appoint a 1143  
treasurer and shall file a designation of that appointment under 1144  
division (D) (1) of section 3517.10 of the Revised Code as though 1145  
the alternative political organization were a political 1146  
contributing entity. The form of the designation shall indicate 1147  
that the filer is an alternative political organization. 1148

(B) (1) Except as otherwise provided in division (C) of 1149  
this section, an alternative political organization shall file 1150  
statements of contributions and expenditures under section 1151  
3517.10 of the Revised Code as though it were a political 1152  
contributing entity and shall be deemed to be a political 1153  
contributing entity for all purposes under this chapter. 1154

(2) For purposes of an alternative political organization 1155  
reporting contributions received by the alternative political 1156  
organization as required by division (B) (1) of this section: 1157

(a) "Contribution" has the meaning defined in section 1158  
3517.01 of the Revised Code if the alternative political 1159  
organization does all of the following: 1160

(i) Deposits in a separate account from its general funds 1161  
all loans, gifts, deposits, donations, advances, payments, or 1162  
transfers of funds or anything of value, including a transfer of 1163  
funds from an inter vivos or testamentary trust or decedent's 1164  
estate and the payment by any person other than the person to 1165  
whom the services are rendered for the personal services of 1166  
another person, that are made to or received by the alternative 1167  
political organization for the purpose of influencing the 1168  
results of an election; 1169

(ii) Does not transfer to that separate account any other 1170  
loans, gifts, deposits, donations, advances, payments, or 1171

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transfers of funds or anything of value, including a transfer of 1172  
funds from an inter vivos or testamentary trust or decedent's 1173  
estate and the payment by any person other than the person to 1174  
whom the services are rendered for the personal services of 1175  
another person, that are made to or received by the alternative 1176  
political organization; 1177

(iii) Makes contributions and expenditures only from that 1178  
separate account. 1179

(b) If an alternative political organization does not 1180  
follow the procedure described in division (B) (2) (a) of this 1181  
section, then any loan, gift, deposit, forgiveness of 1182  
indebtedness, donation, advance, payment, or transfer of funds 1183  
or anything of value, including a transfer of funds from an 1184  
inter vivos or testamentary trust or decedent's estate and the 1185  
payment by any person other than the person to whom the services 1186  
are rendered for the personal services of another person, that 1187  
is made to or received by the alternative political organization 1188  
is considered a contribution, regardless of whether it is made 1189  
or received for the purpose of influencing the results of an 1190  
election. 1191

(C) (1) Upon filing a designation of appointment of a 1192  
treasurer under division (A) of this section or upon filing a 1193  
report of contributions and expenditures under division (B) of 1194  
this section, an alternative political organization may file a 1195  
certificate attesting that the alternative political 1196  
organization has not accepted, and will not accept, anything of 1197  
value from a foreign national, directly or indirectly, in the 1198  
form of a contribution or for any other purpose. The certificate 1199  
shall be on a form prescribed by the secretary of state and 1200  
shall be signed under penalty of election falsification. Except 1201

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as otherwise provided in division (C) (2) of this section, an 1202  
alternative political organization that files a certificate 1203  
under this division is no longer subject to the requirements of 1204  
division (B) of this section. 1205

(2) If, after filing a certificate under division (C) (1) 1206  
of this section, an alternative political organization accepts 1207  
anything of value from a foreign national, directly or 1208  
indirectly, in the form of a contribution or for any other 1209  
purpose, the certificate is void. Thereafter, the alternative 1210  
political organization is subject to the requirements of 1211  
division (B) of this section. On the first statement of 1212  
contributions and expenditures the alternative political 1213  
organization is required to file after the certificate is void, 1214  
the alternative political organization shall report all 1215  
contributions received and expenditures made from the time the 1216  
alternative political organization filed its designation of 1217  
appointment of a treasurer under division (A) of this section or 1218  
from the close of business on the last day reflected in its last 1219  
previously filed statement of contributions and expenditures, as 1220  
applicable. 1221

(3) As used in division (D) of this section, "foreign 1222  
national" has the same meaning as in division (W) of section 1223  
3517.13 of the Revised Code. 1224

**Sec. 3517.13.** (A) (1) No campaign committee of a statewide 1225  
candidate shall fail to file a complete and accurate statement 1226  
required under division (A) (1) of section 3517.10 of the Revised 1227  
Code. 1228

(2) No campaign committee of a statewide candidate shall 1229  
fail to file a complete and accurate monthly statement, and no 1230  
campaign committee of a statewide candidate or a candidate for 1231

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the office of chief justice or justice of the supreme court 1232  
 shall fail to file a complete and accurate two-business-day 1233  
 statement, as required under section 3517.10 of the Revised 1234  
 Code. 1235

As used in this division, "statewide candidate" has the 1236  
 same meaning as in division (F) (2) of section 3517.10 of the 1237  
 Revised Code. 1238

(B) No campaign committee shall fail to file a complete 1239  
 and accurate statement required under division (A) (1) of section 1240  
 3517.10 of the Revised Code. 1241

(C) No campaign committee shall fail to file a complete 1242  
 and accurate statement required under division (A) (2) of section 1243  
 3517.10 of the Revised Code. 1244

(D) No campaign committee shall fail to file a complete 1245  
 and accurate statement required under division (A) (3) or (4) of 1246  
 section 3517.10 of the Revised Code. 1247

(E) No person other than a campaign committee shall 1248  
 knowingly fail to file a statement required under section 1249  
 3517.10 ~~or~~, 3517.107, or 3517.121 of the Revised Code. 1250

(F) No person shall make cash contributions to any person 1251  
 totaling more than one hundred dollars in each primary, special, 1252  
 or general election. 1253

(G) (1) No person shall knowingly conceal or misrepresent 1254  
 contributions given or received, expenditures made, or any other 1255  
 information required to be reported by a provision in sections 1256  
 3517.08 to 3517.13 of the Revised Code. 1257

(2) (a) No person shall make a contribution to a campaign 1258  
 committee, political action committee, political contributing 1259

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entity, legislative campaign fund, political party, or person 1260  
making disbursements to pay the direct costs of producing or 1261  
airing electioneering communications in the name of another 1262  
person. 1263

(b) A person does not make a contribution in the name of 1264  
another when either of the following applies: 1265

(i) An individual makes a contribution from a partnership 1266  
or other unincorporated business account, if the contribution is 1267  
reported by listing both the name of the partnership or other 1268  
unincorporated business and the name of the partner or owner 1269  
making the contribution as required under division (I) of 1270  
section 3517.10 of the Revised Code. 1271

(ii) A person makes a contribution in that person's 1272  
spouse's name or in both of their names. 1273

(H) No person within this state, publishing a newspaper or 1274  
other periodical, shall charge a campaign committee for 1275  
political advertising a rate in excess of the rate such person 1276  
would charge if the campaign committee were a general rate 1277  
advertiser whose advertising was directed to promoting its 1278  
business within the same area as that encompassed by the 1279  
particular office that the candidate of the campaign committee 1280  
is seeking. The rate shall take into account the amount of space 1281  
used, as well as the type of advertising copy submitted by or on 1282  
behalf of the campaign committee. All discount privileges 1283  
otherwise offered by a newspaper or periodical to general rate 1284  
advertisers shall be available upon equal terms to all campaign 1285  
committees. 1286

No person within this state, operating a radio or 1287  
television station or network of stations in this state, shall 1288



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charge a campaign committee for political broadcasts a rate that 1289  
exceeds: 1290

(1) During the forty-five days preceding the date of a 1291  
primary election and during the sixty days preceding the date of 1292  
a general or special election in which the candidate of the 1293  
campaign committee is seeking office, the lowest unit charge of 1294  
the station for the same class and amount of time for the same 1295  
period; 1296

(2) At any other time, the charges made for comparable use 1297  
of that station by its other users. 1298

(I) Subject to divisions (K), (L), (M), and (N) of this 1299  
section, no agency or department of this state or any political 1300  
subdivision shall award any contract, other than one let by 1301  
competitive bidding or a contract incidental to such contract or 1302  
which is by force account, for the purchase of goods costing 1303  
more than five hundred dollars or services costing more than 1304  
five hundred dollars to any individual, partnership, 1305  
association, including, without limitation, a professional 1306  
association organized under Chapter 1785. of the Revised Code, 1307  
estate, or trust if the individual has made or the individual's 1308  
spouse has made, or any partner, shareholder, administrator, 1309  
executor, or trustee or the spouse of any of them has made, as 1310  
an individual, within the two previous calendar years, one or 1311  
more contributions totaling in excess of one thousand dollars to 1312  
the holder of the public office having ultimate responsibility 1313  
for the award of the contract or to the public officer's 1314  
campaign committee. 1315

(J) Subject to divisions (K), (L), (M), and (N) of this 1316  
section, no agency or department of this state or any political 1317  
subdivision shall award any contract, other than one let by 1318

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competitive bidding or a contract incidental to such contract or 1319  
which is by force account, for the purchase of goods costing 1320  
more than five hundred dollars or services costing more than 1321  
five hundred dollars to a corporation or business trust, except 1322  
a professional association organized under Chapter 1785. of the 1323  
Revised Code, if an owner of more than twenty per cent of the 1324  
corporation or business trust or the spouse of that person has 1325  
made, as an individual, within the two previous calendar years, 1326  
taking into consideration only owners for all of that period, 1327  
one or more contributions totaling in excess of one thousand 1328  
dollars to the holder of a public office having ultimate 1329  
responsibility for the award of the contract or to the public 1330  
officer's campaign committee. 1331

(K) For purposes of divisions (I) and (J) of this section, 1332  
if a public officer who is responsible for the award of a 1333  
contract is appointed by the governor, whether or not the 1334  
appointment is subject to the advice and consent of the senate, 1335  
excluding members of boards, commissions, committees, 1336  
authorities, councils, boards of trustees, task forces, and 1337  
other such entities appointed by the governor, the office of the 1338  
governor is considered to have ultimate responsibility for the 1339  
award of the contract. 1340

(L) For purposes of divisions (I) and (J) of this section, 1341  
if a public officer who is responsible for the award of a 1342  
contract is appointed by the elected chief executive officer of 1343  
a municipal corporation, or appointed by the elected chief 1344  
executive officer of a county operating under an alternative 1345  
form of county government or county charter, excluding members 1346  
of boards, commissions, committees, authorities, councils, 1347  
boards of trustees, task forces, and other such entities 1348  
appointed by the chief executive officer, the office of the 1349

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chief executive officer is considered to have ultimate 1350  
responsibility for the award of the contract. 1351

(M) (1) Divisions (I) and (J) of this section do not apply 1352  
to contracts awarded by the board of commissioners of the 1353  
sinking fund, municipal legislative authorities, boards of 1354  
education, boards of county commissioners, boards of township 1355  
trustees, or other boards, commissions, committees, authorities, 1356  
councils, boards of trustees, task forces, and other such 1357  
entities created by law, by the supreme court or courts of 1358  
appeals, by county courts consisting of more than one judge, 1359  
courts of common pleas consisting of more than one judge, or 1360  
municipal courts consisting of more than one judge, or by a 1361  
division of any court if the division consists of more than one 1362  
judge. This division shall apply to the specified entity only if 1363  
the members of the entity act collectively in the award of a 1364  
contract for goods or services. 1365

(2) Divisions (I) and (J) of this section do not apply to 1366  
actions of the controlling board. 1367

(N) (1) Divisions (I) and (J) of this section apply to 1368  
contributions made to the holder of a public office having 1369  
ultimate responsibility for the award of a contract, or to the 1370  
public officer's campaign committee, during the time the person 1371  
holds the office and during any time such person was a candidate 1372  
for the office. Those divisions do not apply to contributions 1373  
made to, or to the campaign committee of, a candidate for or 1374  
holder of the office other than the holder of the office at the 1375  
time of the award of the contract. 1376

(2) Divisions (I) and (J) of this section do not apply to 1377  
contributions of a partner, shareholder, administrator, 1378  
executor, trustee, or owner of more than twenty per cent of a 1379

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corporation or business trust made before the person held any of 1380  
those positions or after the person ceased to hold any of those 1381  
positions in the partnership, association, estate, trust, 1382  
corporation, or business trust whose eligibility to be awarded a 1383  
contract is being determined, nor to contributions of the 1384  
person's spouse made before the person held any of those 1385  
positions, after the person ceased to hold any of those 1386  
positions, before the two were married, after the granting of a 1387  
decree of divorce, dissolution of marriage, or annulment, or 1388  
after the granting of an order in an action brought solely for 1389  
legal separation. Those divisions do not apply to contributions 1390  
of the spouse of an individual whose eligibility to be awarded a 1391  
contract is being determined made before the two were married, 1392  
after the granting of a decree of divorce, dissolution of 1393  
marriage, or annulment, or after the granting of an order in an 1394  
action brought solely for legal separation. 1395

(0) No beneficiary of a campaign fund or other person 1396  
shall convert for personal use, and no person shall knowingly 1397  
give to a beneficiary of a campaign fund or any other person, 1398  
for the beneficiary's or any other person's personal use, 1399  
anything of value from the beneficiary's campaign fund, 1400  
including, without limitation, payments to a beneficiary for 1401  
services the beneficiary personally performs, except as 1402  
reimbursement for any of the following: 1403

(1) Legitimate and verifiable prior campaign expenses 1404  
incurred by the beneficiary; 1405

(2) Legitimate and verifiable ordinary and necessary prior 1406  
expenses incurred by the beneficiary in connection with duties 1407  
as the holder of a public office, including, without limitation, 1408  
expenses incurred through participation in nonpartisan or 1409

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bipartisan events if the participation of the holder of a public 1410  
office would normally be expected; 1411

(3) Legitimate and verifiable ordinary and necessary prior 1412  
expenses incurred by the beneficiary while doing any of the 1413  
following: 1414

(a) Engaging in activities in support of or opposition to 1415  
a candidate other than the beneficiary, political party, or 1416  
ballot issue; 1417

(b) Raising funds for a political party, political action 1418  
committee, political contributing entity, legislative campaign 1419  
fund, campaign committee, or other candidate; 1420

(c) Participating in the activities of a political party, 1421  
political action committee, political contributing entity, 1422  
legislative campaign fund, or campaign committee; 1423

(d) Attending a political party convention or other 1424  
political meeting. 1425

For purposes of this division, an expense is incurred 1426  
whenever a beneficiary has either made payment or is obligated 1427  
to make payment, as by the use of a credit card or other credit 1428  
procedure or by the use of goods or services received on 1429  
account. 1430

(P) No beneficiary of a campaign fund shall knowingly 1431  
accept, and no person shall knowingly give to the beneficiary of 1432  
a campaign fund, reimbursement for an expense under division (O) 1433  
of this section to the extent that the expense previously was 1434  
reimbursed or paid from another source of funds. If an expense 1435  
is reimbursed under division (O) of this section and is later 1436  
paid or reimbursed, wholly or in part, from another source of 1437  
funds, the beneficiary shall repay the reimbursement received 1438

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under division (O) of this section to the extent of the payment 1439  
made or reimbursement received from the other source. 1440

(Q) No candidate or public official or employee shall 1441  
accept for personal or business use anything of value from a 1442  
political party, political action committee, political 1443  
contributing entity, legislative campaign fund, or campaign 1444  
committee other than the candidate's or public official's or 1445  
employee's own campaign committee, and no person shall knowingly 1446  
give to a candidate or public official or employee anything of 1447  
value from a political party, political action committee, 1448  
political contributing entity, legislative campaign fund, or 1449  
such a campaign committee, except for the following: 1450

(1) Reimbursement for legitimate and verifiable ordinary 1451  
and necessary prior expenses not otherwise prohibited by law 1452  
incurred by the candidate or public official or employee while 1453  
engaged in any legitimate activity of the political party, 1454  
political action committee, political contributing entity, 1455  
legislative campaign fund, or such campaign committee. Without 1456  
limitation, reimbursable expenses under this division include 1457  
those incurred while doing any of the following: 1458

(a) Engaging in activities in support of or opposition to 1459  
another candidate, political party, or ballot issue; 1460

(b) Raising funds for a political party, legislative 1461  
campaign fund, campaign committee, or another candidate; 1462

(c) Attending a political party convention or other 1463  
political meeting. 1464

(2) Compensation not otherwise prohibited by law for 1465  
actual and valuable personal services rendered under a written 1466  
contract to the political party, political action committee, 1467

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political contributing entity, legislative campaign fund, or 1468  
such campaign committee for any legitimate activity of the 1469  
political party, political action committee, political 1470  
contributing entity, legislative campaign fund, or such campaign 1471  
committee. 1472

Reimbursable expenses under this division do not include, 1473  
and it is a violation of this division for a candidate or public 1474  
official or employee to accept, or for any person to knowingly 1475  
give to a candidate or public official or employee from a 1476  
political party, political action committee, political 1477  
contributing entity, legislative campaign fund, or campaign 1478  
committee other than the candidate's or public official's or 1479  
employee's own campaign committee, anything of value for 1480  
activities primarily related to the candidate's or public 1481  
official's or employee's own campaign for election, except for 1482  
contributions to the candidate's or public official's or 1483  
employee's campaign committee. 1484

For purposes of this division, an expense is incurred 1485  
whenever a candidate or public official or employee has either 1486  
made payment or is obligated to make payment, as by the use of a 1487  
credit card or other credit procedure, or by the use of goods or 1488  
services on account. 1489

(R) (1) Division (O) or (P) of this section does not 1490  
prohibit a campaign committee from making direct advance or post 1491  
payment from contributions to vendors for goods and services for 1492  
which reimbursement is permitted under division (O) of this 1493  
section, except that no campaign committee shall pay its 1494  
candidate or other beneficiary for services personally performed 1495  
by the candidate or other beneficiary. 1496

(2) If any expense that may be reimbursed under division 1497

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(O), (P), or (Q) of this section is part of other expenses that 1498  
 may not be paid or reimbursed, the separation of the two types 1499  
 of expenses for the purpose of allocating for payment or 1500  
 reimbursement those expenses that may be paid or reimbursed may 1501  
 be by any reasonable accounting method, considering all of the 1502  
 surrounding circumstances. 1503

(3) For purposes of divisions (O), (P), and (Q) of this 1504  
 section, mileage allowance at a rate not greater than that 1505  
 allowed by the internal revenue service at the time the travel 1506  
 occurs may be paid instead of reimbursement for actual travel 1507  
 expenses allowable. 1508

(S) (1) As used in division (S) of this section: 1509

(a) "State elective office" has the same meaning as in 1510  
 section 3517.092 of the Revised Code. 1511

(b) "Federal office" means a federal office as defined in 1512  
 the Federal Election Campaign Act. 1513

(c) "Federal campaign committee" means a principal 1514  
 campaign committee or authorized committee as defined in the 1515  
 Federal Election Campaign Act. 1516

(2) No person who is a candidate for state elective office 1517  
 and who previously sought nomination or election to a federal 1518  
 office shall transfer any funds or assets from that person's 1519  
 federal campaign committee for nomination or election to the 1520  
 federal office to that person's campaign committee as a 1521  
 candidate for state elective office. 1522

(3) No campaign committee of a person who is a candidate 1523  
 for state elective office and who previously sought nomination 1524  
 or election to a federal office shall accept any funds or assets 1525  
 from that person's federal campaign committee for that person's 1526



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nomination or election to the federal office. 1527

(T) (1) Except as otherwise provided in division (B) (6) (c) 1528  
of section 3517.102 of the Revised Code, a state or county 1529  
political party shall not disburse moneys from any account other 1530  
than a state candidate fund to make contributions to any of the 1531  
following: 1532

(a) A state candidate fund; 1533

(b) A legislative campaign fund; 1534

(c) A campaign committee of a candidate for the office of 1535  
governor, lieutenant governor, secretary of state, auditor of 1536  
state, treasurer of state, attorney general, member of the state 1537  
board of education, or member of the general assembly. 1538

(2) No state candidate fund, legislative campaign fund, or 1539  
campaign committee of a candidate for any office described in 1540  
division (T) (1) (c) of this section shall knowingly accept a 1541  
contribution in violation of division (T) (1) of this section. 1542

(U) No person shall fail to file a statement required 1543  
under section 3517.12 of the Revised Code. 1544

(V) No campaign committee shall fail to file a statement 1545  
required under division (K) (3) of section 3517.10 of the Revised 1546  
Code. 1547

(W) (1) No foreign national shall, directly or indirectly 1548  
through any other person or entity, ~~make~~ do either of the 1549  
following: 1550

(a) Make a contribution, expenditure, or independent 1551  
expenditure or promise, either expressly or implicitly, to make 1552  
a contribution, expenditure, or independent expenditure ~~in~~ 1553  
~~support of or opposition to a candidate for any elective office~~ 1554

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~~in this state, including an office of a political party;~~ 1555

(b) Solicit another person to make a contribution, 1556  
expenditure, or independent expenditure. 1557

(2) No candidate, campaign committee, political action 1558  
 committee, political contributing entity, legislative campaign 1559  
 fund, state candidate fund, political party, ~~or~~ separate 1560  
 segregated fund, federal political committee, or alternative 1561  
political organization shall do either of the following: 1562

(a) Transfer funds, or accept a transfer of funds, 1563  
directly or indirectly into an account from which the person 1564  
makes contributions or expenditures from an account that is 1565  
controlled by the person or by the person's affiliate and that, 1566  
at any time, has contained funds received directly or indirectly 1567  
from a foreign national. For purposes of this division, a person 1568  
is affiliated with another person if they are both established, 1569  
financed, maintained, or controlled by, or if they are, the same 1570  
corporation, organization, labor organization, or other person, 1571  
including any parent, subsidiary, division, or department of 1572  
that corporation, organization, labor organization, or other 1573  
person. 1574

(b) Otherwise solicit or accept a contribution, 1575  
expenditure, or independent expenditure, directly or indirectly 1576  
through another person, from a foreign national. ~~The secretary-~~ 1577  
~~of state may direct any candidate, committee, entity, fund, or~~ 1578  
~~party that accepts a contribution, expenditure, or independent~~ 1579  
~~expenditure in violation of this division to return the~~ 1580  
~~contribution, expenditure, or independent expenditure or, if it-~~ 1581  
~~is not possible to return the contribution, expenditure, or~~ 1582  
~~independent expenditure, then to return instead the value of it,~~ 1583  
~~to the contributor.~~ 1584

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(3) As used in division (W) of this section, "foreign  
national" ~~has the same meaning as in section 441c(b) of the~~  
~~Federal Election Campaign Act~~ means any of the following, as  
applicable:

(a) In the case of an individual, an individual who is not  
a United States citizen or national;

(b) A government of a foreign country or of a political  
subdivision of a foreign country;

(c) A foreign political party;

(d) A person, other than an individual, that is organized  
under the laws of, or has its principal place of business in, a  
foreign country.

(X) (1) No state or county political party shall transfer  
any moneys from its restricted fund to any account of the  
political party into which contributions may be made or from  
which contributions or expenditures may be made.

(2) (a) No state or county political party shall deposit a  
contribution or contributions that it receives into its  
restricted fund.

(b) No state or county political party shall make a  
contribution or an expenditure from its restricted fund.

(3) (a) No corporation or labor organization shall make a  
gift or gifts from the corporation's or labor organization's  
money or property aggregating more than ten thousand dollars to  
any one state or county political party for the party's  
restricted fund in a calendar year.

(b) No state or county political party shall accept a gift  
or gifts for the party's restricted fund aggregating more than

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ten thousand dollars from any one corporation or labor 1613  
organization in a calendar year. 1614

(4) No state or county political party shall transfer any 1615  
moneys in the party's restricted fund to any other state or 1616  
county political party. 1617

(5) No state or county political party shall knowingly 1618  
fail to file a statement required under section 3517.1012 of the 1619  
Revised Code. 1620

(Y) The administrator of workers' compensation and the 1621  
employees of the bureau of workers' compensation shall not 1622  
conduct any business with or award any contract, other than one 1623  
awarded by competitive bidding, for the purchase of goods 1624  
costing more than five hundred dollars or services costing more 1625  
than five hundred dollars to any individual, partnership, 1626  
association, including, without limitation, a professional 1627  
association organized under Chapter 1785. of the Revised Code, 1628  
estate, or trust, if the individual has made, or the 1629  
individual's spouse has made, or any partner, shareholder, 1630  
administrator, executor, or trustee, or the spouses of any of 1631  
those individuals has made, as an individual, within the two 1632  
previous calendar years, one or more contributions totaling in 1633  
excess of one thousand dollars to the campaign committee of the 1634  
governor or lieutenant governor or to the campaign committee of 1635  
any candidate for the office of governor or lieutenant governor. 1636

(Z) The administrator of workers' compensation and the 1637  
employees of the bureau of workers' compensation shall not 1638  
conduct business with or award any contract, other than one 1639  
awarded by competitive bidding, for the purchase of goods 1640  
costing more than five hundred dollars or services costing more 1641  
than five hundred dollars to a corporation or business trust, 1642

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except a professional association organized under Chapter 1785. 1643  
of the Revised Code, if an owner of more than twenty per cent of 1644  
the corporation or business trust, or the spouse of the owner, 1645  
has made, as an individual, within the two previous calendar 1646  
years, taking into consideration only owners for all of such 1647  
period, one or more contributions totaling in excess of one 1648  
thousand dollars to the campaign committee of the governor or 1649  
lieutenant governor or to the campaign committee of any 1650  
candidate for the office of governor or lieutenant governor. 1651

**Sec. 3517.155.** (A) (1) Except as otherwise provided in 1652  
division (B) of this section, the Ohio elections commission 1653  
shall hold its first hearing on a complaint filed with it, other 1654  
than a complaint that receives an expedited hearing under 1655  
section 3517.156 of the Revised Code, not later than ninety 1656  
business days after the complaint is filed unless the commission 1657  
has good cause to hold the hearing after that time, in which 1658  
case it shall hold the hearing not later than one hundred eighty 1659  
business days after the complaint is filed. At the hearing, the 1660  
commission shall determine whether or not the failure to act or 1661  
the violation alleged in the complaint has occurred and shall do 1662  
only one of the following, except as otherwise provided in 1663  
~~division (B) of this section~~ or in division (B) of section 1664  
3517.151 of the Revised Code: 1665

(a) Enter a finding that good cause has been shown not to 1666  
impose a fine or not to refer the matter to the appropriate 1667  
prosecutor; 1668

(b) Impose a fine under section 3517.993 of the Revised 1669  
Code; 1670

(c) Refer the matter to the appropriate prosecutor~~+~~. 1671

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(2) As used in division (A) of this section, "appropriate  
prosecutor" means a prosecutor as defined in section 2935.01 of  
the Revised Code and either of the following:

(a) In the case of a failure to comply with or a violation  
of law involving a campaign committee or the committee's  
candidate, a political party, a legislative campaign fund, a  
political action committee, or a political contributing entity,  
that is required to file a statement of contributions and  
expenditures with the secretary of state under division (A) of  
section 3517.11 of the Revised Code, the prosecutor of Franklin  
county;

(b) In the case of a failure to comply with or a violation  
of law involving any other campaign committee or committee's  
candidate, or any other political party, political action  
committee, or political contributing entity either of the  
following as determined by the commission:

(i) The prosecutor of Franklin county;

(ii) The prosecutor of the county in which the candidacy  
or ballot question or issue is submitted to the electors or, if  
it is submitted in more than one county, the most populous of  
those counties.

(B) If the commission decides that the evidence is  
insufficient for it to determine whether or not the failure to  
act or the violation alleged in the complaint has occurred, the  
commission, by the affirmative vote of five members, may request  
that an investigatory attorney investigate the complaint. Upon  
that request, an investigatory attorney shall make an  
investigation in order to produce sufficient evidence for the  
commission to decide the matter. If the commission requests an

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investigation under this division, for good cause shown by the 1701  
investigatory attorney, the commission may extend by sixty days 1702  
the deadline for holding its first hearing on the complaint as 1703  
required in division (A) of this section. 1704

(C) The commission shall take one of the actions required 1705  
under division (A) of this section not later than thirty days 1706  
after the close of all the evidence presented. 1707

(D) (1) The commission shall make any finding of a failure 1708  
to comply with or a violation of law in regard to a complaint 1709  
that alleges a violation of division (A) or (B) of section 1710  
3517.21, or division (A) or (B) of section 3517.22 of the 1711  
Revised Code by clear and convincing evidence. The commission 1712  
shall make any finding of a failure to comply with or a 1713  
violation of law in regard to any other complaint by a 1714  
preponderance of the evidence. 1715

(2) If the commission finds a violation of division (B) of 1716  
section 3517.21 or division (B) of section 3517.22 of the 1717  
Revised Code, it shall refer the matter to the appropriate 1718  
prosecutor under division (A) (1) (c) of this section and shall 1719  
not impose a fine under division (A) (1) (b) of this section or 1720  
section 3517.993 of the Revised Code. 1721

(3) (a) If the commission finds a violation of division (W) 1722  
of section 3517.13 of the Revised Code, it shall do one of the 1723  
following: 1724

(i) Impose a fine under section 3517.993 of the Revised 1725  
Code in an amount equal to three times the amount involved in 1726  
the violation or ten thousand dollars, whichever amount is 1727  
greater, with none of the fine suspended and, in the case of a 1728  
violation of division (W) (2) of section 3517.13 of the Revised 1729

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Code, order the violator to return an amount equal to any amount 1730  
accepted in violation of that division to the foreign national 1731  
from whom it was accepted; 1732

(ii) Refer the matter to the appropriate prosecutor or to 1733  
the attorney general. 1734

(b) If the commission finds a violation of division (W) of 1735  
section 3517.13 of the Revised Code and refers the matter for 1736  
prosecution, the attorney general may prosecute the violation 1737  
with all the rights, privileges, and powers conferred by law on 1738  
prosecuting attorneys, including the power to appear before 1739  
grand juries and to interrogate witnesses before such grand 1740  
juries, under any of the following circumstances: 1741

(i) Upon the commission's referral of the matter to the 1742  
attorney general; 1743

(ii) Upon the request of the prosecutor to whom the 1744  
commission refers the matter; 1745

(iii) Upon the attorney general's own initiative. 1746

These powers of the attorney general are in addition to 1747  
any other applicable powers of the attorney general. 1748

(E) In an action before the commission or a panel of the 1749  
commission, if the allegations of the complainant are not 1750  
proved, and the commission takes the action described in 1751  
division (A)(1)(a) of this section or a panel of the commission 1752  
takes the action described in division (C)(1) of section 1753  
3517.156 of the Revised Code, the commission or a panel of the 1754  
commission may find that the complaint is frivolous, and, if the 1755  
commission or panel so finds, the commission shall order the 1756  
complainant to pay reasonable attorney's fees and to pay the 1757  
costs of the commission or panel as determined by a majority of 1758



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the members of the commission. The costs paid to the commission 1759  
 or panel under this division shall be deposited into the Ohio 1760  
 elections commission fund. 1761

**Sec. 3517.992.** This section establishes penalties only 1762  
 with respect to acts or failures to act that occur on and after 1763  
 August 24, 1995. 1764

(A) (1) A candidate whose campaign committee violates 1765  
 division (A), (B), (C), (D), or (V) of section 3517.13 of the 1766  
 Revised Code, or a treasurer of a campaign committee who 1767  
 violates any of those divisions, shall be fined not more than 1768  
 one hundred dollars for each day of violation. 1769

(2) Whoever violates division (E) or (X) (5) of section 1770  
 3517.13 or division (E) (1) of section 3517.1014 of the Revised 1771  
 Code shall be fined not more than one hundred dollars for each 1772  
 day of violation. 1773

(B) An entity that violates division (G) (1) of section 1774  
 3517.101 of the Revised Code shall be fined not more than one 1775  
 hundred dollars for each day of violation. 1776

(C) Whoever violates division (G) (2) of section 3517.101, 1777  
 division (G) of section 3517.13, or division (E) (2) or (3) of 1778  
 section 3517.1014 of the Revised Code shall be fined not more 1779  
 than ten thousand dollars or, if the offender is a person who 1780  
 was nominated or elected to public office, shall forfeit the 1781  
 nomination or the office to which the offender was elected, or 1782  
 both. 1783

(D) Whoever violates division (F) of section 3517.13 of 1784  
 the Revised Code shall be fined not more than three times the 1785  
 amount contributed. 1786

(E) Whoever violates division (H) of section 3517.13 of 1787

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the Revised Code shall be fined not more than one hundred 1788  
dollars. 1789

(F) Whoever violates division (O), (P), or (Q) of section 1790  
3517.13 of the Revised Code is guilty of a misdemeanor of the 1791  
first degree. 1792

(G) A state or county committee of a political party that 1793  
violates division (B)(1) of section 3517.18 of the Revised Code 1794  
as that section existed before its repeal by H.B. 166 of the 1795  
133rd general assembly shall be fined not more than twice the 1796  
amount of the improper expenditure. 1797

(H) An entity that violates division (H) of section 1798  
3517.101 of the Revised Code shall be fined not more than twice 1799  
the amount of the improper expenditure or use. 1800

(I)(1) Any individual who violates division (B)(1) of 1801  
section 3517.102 of the Revised Code and knows that the 1802  
contribution the individual makes violates that division shall 1803  
be fined an amount equal to three times the amount contributed 1804  
in excess of the amount permitted by that division. 1805

(2) Any political action committee that violates division 1806  
(B)(2) of section 3517.102 of the Revised Code shall be fined an 1807  
amount equal to three times the amount contributed in excess of 1808  
the amount permitted by that division. 1809

(3) Any campaign committee that violates division (B)(3) 1810  
or (5) of section 3517.102 of the Revised Code shall be fined an 1811  
amount equal to three times the amount contributed in excess of 1812  
the amount permitted by that division. 1813

(4)(a) Any legislative campaign fund that violates 1814  
division (B)(6) of section 3517.102 of the Revised Code shall be 1815  
fined an amount equal to three times the amount transferred or 1816

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contributed in excess of the amount permitted by that division, 1817  
as applicable. 1818

(b) Any state political party, county political party, or 1819  
state candidate fund of a state political party or county 1820  
political party that violates division (B) (6) of section 1821  
3517.102 of the Revised Code shall be fined an amount equal to 1822  
three times the amount transferred or contributed in excess of 1823  
the amount permitted by that division, as applicable. 1824

(c) Any political contributing entity that violates 1825  
division (B) (7) of section 3517.102 of the Revised Code shall be 1826  
fined an amount equal to three times the amount contributed in 1827  
excess of the amount permitted by that division. 1828

(5) Any political party that violates division (B) (4) of 1829  
section 3517.102 of the Revised Code shall be fined an amount 1830  
equal to three times the amount contributed in excess of the 1831  
amount permitted by that division. 1832

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 1833  
(5) of this section, no violation of division (B) of section 1834  
3517.102 of the Revised Code occurs, and the secretary of state 1835  
shall not refer parties to the Ohio elections commission, if the 1836  
amount transferred or contributed in excess of the amount 1837  
permitted by that division meets either of the following 1838  
conditions: 1839

(a) It is completely refunded within five business days 1840  
after it is accepted. 1841

(b) It is completely refunded on or before the tenth 1842  
business day after notification to the recipient of the excess 1843  
transfer or contribution by the board of elections or the 1844  
secretary of state that a transfer or contribution in excess of 1845

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the permitted amount has been received. 1846

(J) (1) Any campaign committee that violates division (C) 1847  
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 1848  
shall be fined an amount equal to three times the amount 1849  
accepted in excess of the amount permitted by that division. 1850

(2) (a) Any county political party that violates division 1851  
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 1852  
shall be fined an amount equal to three times the amount 1853  
accepted. 1854

(b) Any county political party that violates division (C) 1855  
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 1856  
an amount from its state candidate fund equal to three times the 1857  
amount accepted in excess of the amount permitted by that 1858  
division. 1859

(c) Any state political party that violates division (C) 1860  
(4) (b) of section 3517.102 of the Revised Code shall be fined an 1861  
amount from its state candidate fund equal to three times the 1862  
amount accepted in excess of the amount permitted by that 1863  
division. 1864

(3) Any legislative campaign fund that violates division 1865  
(C) (5) of section 3517.102 of the Revised Code shall be fined an 1866  
amount equal to three times the amount accepted in excess of the 1867  
amount permitted by that division. 1868

(4) Any political action committee or political 1869  
contributing entity that violates division (C) (7) of section 1870  
3517.102 of the Revised Code shall be fined an amount equal to 1871  
three times the amount accepted in excess of the amount 1872  
permitted by that division. 1873

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 1874

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this section, no violation of division (C) of section 3517.102 1875  
of the Revised Code occurs, and the secretary of state shall not 1876  
refer parties to the Ohio elections commission, if the amount 1877  
transferred or contributed in excess of the amount permitted to 1878  
be accepted by that division meets either of the following 1879  
conditions: 1880

(a) It is completely refunded within five business days 1881  
after its acceptance. 1882

(b) It is completely refunded on or before the tenth 1883  
business day after notification to the recipient of the excess 1884  
transfer or contribution by the board of elections or the 1885  
secretary of state that a transfer or contribution in excess of 1886  
the permitted amount has been received. 1887

(K) (1) Any legislative campaign fund that violates 1888  
division (F) (1) of section 3517.102 of the Revised Code shall be 1889  
fined twenty-five dollars for each day of violation. 1890

(2) Any legislative campaign fund that violates division 1891  
(F) (2) of section 3517.102 of the Revised Code shall give to the 1892  
treasurer of state for deposit into the state treasury to the 1893  
credit of the Ohio elections commission fund all excess 1894  
contributions not disposed of as required by division (E) of 1895  
section 3517.102 of the Revised Code. 1896

(L) Whoever violates section 3517.105 of the Revised Code 1897  
shall be fined one thousand dollars. 1898

(M) (1) Whoever solicits a contribution in violation of 1899  
section 3517.092 or violates division (B) of section 3517.09 of 1900  
the Revised Code is guilty of a misdemeanor of the first degree. 1901

(2) Whoever knowingly accepts a contribution in violation 1902  
of division (B) or (C) of section 3517.092 of the Revised Code 1903

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shall be fined an amount equal to three times the amount 1904  
accepted in violation of either of those divisions and shall 1905  
return to the contributor any amount so accepted. Whoever 1906  
unknowingly accepts a contribution in violation of division (B) 1907  
or (C) of section 3517.092 of the Revised Code shall return to 1908  
the contributor any amount so accepted. 1909

(N) Whoever violates division (S) of section 3517.13 of 1910  
the Revised Code shall be fined an amount equal to three times 1911  
the amount of funds transferred or three times the value of the 1912  
assets transferred in violation of that division. 1913

(O) Any campaign committee that accepts a contribution or 1914  
contributions in violation of section 3517.108 of the Revised 1915  
Code, uses a contribution in violation of that section, or fails 1916  
to dispose of excess contributions in violation of that section 1917  
shall be fined an amount equal to three times the amount 1918  
accepted, used, or kept in violation of that section. 1919

(P) Any political party, state candidate fund, legislative 1920  
candidate fund, or campaign committee that violates division (T) 1921  
of section 3517.13 of the Revised Code shall be fined an amount 1922  
equal to three times the amount contributed or accepted in 1923  
violation of that section. 1924

(Q) A treasurer of a committee or another person who 1925  
violates division (U) of section 3517.13 of the Revised Code 1926  
shall be fined not more than two hundred fifty dollars. 1927

(R) Whoever violates division (I) or (J) of section 1928  
3517.13 of the Revised Code shall be fined not more than one 1929  
thousand dollars. Whenever a person is found guilty of violating 1930  
division (I) or (J) of section 3517.13 of the Revised Code, the 1931  
contract awarded in violation of either of those divisions shall 1932

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be rescinded if its terms have not yet been performed. 1933

(S) A candidate whose campaign committee violates or a 1934  
 treasurer of a campaign committee who violates section 3517.081 1935  
 of the Revised Code, and a candidate whose campaign committee 1936  
 violates or a treasurer of a campaign committee or another 1937  
 person who violates division (C) of section 3517.10 of the 1938  
 Revised Code, shall be fined not more than five hundred dollars. 1939

(T) A candidate whose campaign committee violates or a 1940  
 treasurer of a committee who violates division (B) of section 1941  
 3517.09 of the Revised Code, or a candidate whose campaign 1942  
 committee violates or a treasurer of a campaign committee or 1943  
 another person who violates division (C) of section 3517.09 of 1944  
 the Revised Code shall be fined not more than one thousand 1945  
 dollars. 1946

(U) Whoever violates section 3517.20 of the Revised Code 1947  
 shall be fined not more than five hundred dollars. 1948

(V) Whoever violates section 3517.21 or 3517.22 of the 1949  
 Revised Code shall be imprisoned for not more than six months or 1950  
 fined not more than five thousand dollars, or both. 1951

(W) A campaign committee that is required to file a 1952  
 declaration of no limits under division (D)(2) of section 1953  
 3517.103 of the Revised Code that, before filing that 1954  
 declaration, accepts a contribution or contributions that exceed 1955  
 the limitations prescribed in section 3517.102 of the Revised 1956  
 Code, shall return that contribution or those contributions to 1957  
 the contributor. 1958

(X) Any campaign committee that fails to file the 1959  
 declaration of filing-day finances required by division (F) of 1960  
 section 3517.109 of the Revised Code shall be fined twenty-five 1961

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dollars for each day of violation. 1962

(Y) (1) Any campaign committee that fails to dispose of 1963  
 excess funds or excess aggregate contributions under division 1964  
 (B) of section 3517.109 of the Revised Code in the manner 1965  
 required by division (C) of that section shall give to the 1966  
 treasurer of state for deposit into the Ohio elections 1967  
 commission fund created under division (I) of section 3517.152 1968  
 of the Revised Code all funds not disposed of pursuant to that 1969  
 division. 1970

(2) Any treasurer of a transition fund that fails to 1971  
 dispose of assets remaining in the transition fund as required 1972  
 under division (H) (1) or (2) of section 3517.1014 of the Revised 1973  
 Code shall give to the treasurer of state for deposit into the 1974  
 Ohio elections commission fund all assets not disposed of 1975  
 pursuant to that division. 1976

(Z) Any individual, campaign committee, political action 1977  
 committee, political contributing entity, legislative campaign 1978  
 fund, political party, treasurer of a transition fund, or other 1979  
 entity that violates any provision of sections 3517.09 to 1980  
 3517.12 of the Revised Code for which no penalty is provided for 1981  
 under any other division of this section shall be fined not more 1982  
 than one thousand dollars. 1983

(AA) (1) Whoever knowingly violates division (W) (1) of 1984  
 section 3517.13 of the Revised Code shall be fined an amount 1985  
 equal to three times the amount contributed, expended, or 1986  
 promised in violation of that division or ten thousand dollars, 1987  
 whichever amount is greater. 1988

(2) Whoever knowingly violates division (W) (2) of section 1989  
 3517.13 of the Revised Code shall be fined an amount equal to 1990



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three times the amount solicited or accepted in violation of 1991  
that division or ten thousand dollars, whichever amount is 1992  
greater, and shall be required to return an amount equal to any 1993  
amount accepted in violation of that division to the foreign 1994  
national from whom it was accepted. 1995

(BB) Whoever knowingly violates division (C) or (D) of 1996  
section 3517.1011 of the Revised Code shall be fined not more 1997  
than ten thousand dollars plus not more than one thousand 1998  
dollars for each day of violation. 1999

(CC) (1) Subject to division (CC) (2) of this section, 2000  
whoever violates division (H) of section 3517.1011 of the 2001  
Revised Code shall be fined an amount up to three times the 2002  
amount disbursed for the direct costs of airing the 2003  
communication made in violation of that division. 2004

(2) Whoever has been ordered by the Ohio elections 2005  
commission or by a court of competent jurisdiction to cease 2006  
making communications in violation of division (H) of section 2007  
3517.1011 of the Revised Code who again violates that division 2008  
shall be fined an amount equal to three times the amount 2009  
disbursed for the direct costs of airing the communication made 2010  
in violation of that division. 2011

(DD) (1) Any corporation or labor organization that 2012  
violates division (X) (3) (a) of section 3517.13 of the Revised 2013  
Code shall be fined an amount equal to three times the amount 2014  
given in excess of the amount permitted by that division. 2015

(2) Any state or county political party that violates 2016  
division (X) (3) (b) of section 3517.13 of the Revised Code shall 2017  
be fined an amount equal to three times the amount accepted in 2018  
excess of the amount permitted by that division. 2019

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(EE) (1) Any campaign committee or person who violates 2020  
division (C) (1) (b) or (c) of section 3517.1014 of the Revised 2021  
Code shall be fined an amount equal to three times the amount 2022  
donated in excess of the amount permitted by that division. 2023

(2) Any officeholder or treasurer of a transition fund who 2024  
violates division (C) (3) (a) or (b) of section 3517.1014 of the 2025  
Revised Code shall be fined an amount equal to three times the 2026  
amount accepted in excess of the amount permitted by that 2027  
division. 2028

**Section 2.** That existing sections 3517.01, 3517.10, 2029  
3517.12, 3517.13, 3517.155, and 3517.992 of the Revised Code are 2030  
hereby repealed. 2031

# **Exhibit C**

**As Passed by the Senate**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. H. B. No. 114**

**Representatives Humphrey, Seitz**

**Cosponsors: Representatives Brennan, Williams, Miranda, Blackshear, Brent, Upchurch, McNally, Schmidt, Rogers, Weinstein, Isaacsohn, Brown, Mohamed, Abdullahi, Baker, Brewer, Denson, Dobos, Forhan, Galonski, Grim, Jarrells, Lightbody, Liston, Mathews, Miller, A., Thomas, C.**

**Senators Brenner, Cirino, Huffman, S., Johnson, O'Brien, Wilkin**

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**A BILL**

To amend sections 3517.01, 3517.10, 3517.12,	1
3517.13, 3517.155, and 3517.992 of the Revised	2
Code to modify the Campaign Finance Law and to	3
delay the deadline for a major political party	4
to certify its presidential and vice	5
presidential candidates to the Secretary of	6
State for the 2024 general election.	7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

<b>Section 1.</b> That sections 3517.01, 3517.10, 3517.12,	8
3517.13, 3517.155, and 3517.992 of the Revised Code be amended	9
to read as follows:	10

<b>Sec. 3517.01.</b> (A) (1) A political party within the meaning	11
of Title XXXV of the Revised Code is any group of voters that	12
meets either of the following requirements:	13

(a) Except as otherwise provided in this division, at the	14
most recent regular state election, the group polled for its	15

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candidate for governor in the state or nominees for presidential  
electors at least three per cent of the entire vote cast for  
that office. A group that meets the requirements of this  
division remains a political party for a period of four years  
after meeting those requirements.

(b) The group filed with the secretary of state,  
subsequent to its failure to meet the requirements of division  
(A) (1) (a) of this section, a party formation petition that meets  
all of the following requirements:

(i) The petition is signed by qualified electors equal in  
number to at least one per cent of the total vote for governor  
or nominees for presidential electors at the most recent  
election for such office.

(ii) The petition is signed by not fewer than five hundred  
qualified electors from each of at least a minimum of one-half  
of the congressional districts in this state. If an odd number  
of congressional districts exists in this state, the number of  
districts that results from dividing the number of congressional  
districts by two shall be rounded up to the next whole number.

(iii) The petition declares the petitioners' intention of  
organizing a political party, the name of which shall be stated  
in the declaration, and of participating in the succeeding  
general election, held in even-numbered years, that occurs more  
than one hundred twenty-five days after the date of filing.

(iv) The petition designates a committee of not less than  
three nor more than five individuals of the petitioners, who  
shall represent the petitioners in all matters relating to the  
petition. Notice of all matters or proceedings pertaining to the  
petition may be served on the committee, or any of them, either

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personally or by registered mail, or by leaving such notice at 45  
the usual place of residence of each of them. 46

(2) No such group of electors shall assume a name or 47  
designation that is similar, in the opinion of the secretary of 48  
state, to that of an existing political party as to confuse or 49  
mislead the voters at an election. 50

(B) A campaign committee shall be legally liable for any 51  
debts, contracts, or expenditures incurred or executed in its 52  
name. 53

(C) Notwithstanding the definitions found in section 54  
3501.01 of the Revised Code, as used in this section and 55  
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 56  
Revised Code: 57

(1) "Campaign committee" means a candidate or a 58  
combination of two or more persons authorized by a candidate 59  
under section 3517.081 of the Revised Code to receive 60  
contributions and make expenditures. 61

(2) "Campaign treasurer" means an individual appointed by 62  
a candidate under section 3517.081 of the Revised Code. 63

(3) "Candidate" has the same meaning as in division (H) of 64  
section 3501.01 of the Revised Code and also includes any person 65  
who, at any time before or after an election, receives 66  
contributions or makes expenditures or other use of 67  
contributions, has given consent for another to receive 68  
contributions or make expenditures or other use of 69  
contributions, or appoints a campaign treasurer, for the purpose 70  
of bringing about the person's nomination or election to public 71  
office. When two persons jointly seek the offices of governor 72  
and lieutenant governor, "candidate" means the pair of 73

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candidates jointly. "Candidate" does not include candidates for 74  
election to the offices of member of a county or state central 75  
committee, presidential elector, and delegate to a national 76  
convention or conference of a political party. 77

(4) "Continuing association" means an association, other 78  
than a campaign committee, political party, legislative campaign 79  
fund, political contributing entity, or labor organization, that 80  
is intended to be a permanent organization that has a primary 81  
purpose other than supporting or opposing specific candidates, 82  
political parties, or ballot issues, and that functions on a 83  
regular basis throughout the year. "Continuing association" 84  
includes organizations that are determined to be not organized 85  
for profit under subsection 501 and that are described in 86  
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 87  
Revenue Code. 88

(5) "Contribution" means a loan, gift, deposit, 89  
forgiveness of indebtedness, donation, advance, payment, or 90  
transfer of funds or anything of value, including a transfer of 91  
funds from an inter vivos or testamentary trust or decedent's 92  
estate, and the payment by any person other than the person to 93  
whom the services are rendered for the personal services of 94  
another person, which contribution is made, received, or used 95  
for the purpose of influencing the results of an election. Any 96  
loan, gift, deposit, forgiveness of indebtedness, donation, 97  
advance, payment, or transfer of funds or of anything of value, 98  
including a transfer of funds from an inter vivos or 99  
testamentary trust or decedent's estate, and the payment by any 100  
campaign committee, political action committee, legislative 101  
campaign fund, political party, political contributing entity, 102  
or person other than the person to whom the services are 103  
rendered for the personal services of another person, that is 104

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made, received, or used by a state or county political party, 105  
 other than the moneys an entity may receive under sections 106  
 3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 107  
 considered to be a "contribution" for the purpose of section 108  
 3517.10 of the Revised Code and shall be included on a statement 109  
 of contributions filed under that section. 110

"Contribution" does not include any of the following: 111

(a) Services provided without compensation by individuals 112  
 volunteering a portion or all of their time on behalf of a 113  
 person; 114

(b) Ordinary home hospitality; 115

(c) The personal expenses of a volunteer paid for by that 116  
 volunteer campaign worker; 117

(d) Any gift given to an entity pursuant to section 118  
 3517.101 of the Revised Code; 119

(e) Any contribution as defined in section 3517.1011 of 120  
 the Revised Code that is made, received, or used to pay the 121  
 direct costs of producing or airing an electioneering 122  
 communication; 123

(f) Any gift given to a state or county political party 124  
 for the party's restricted fund under division (A)(2) of section 125  
 3517.1012 of the Revised Code; 126

(g) Any gift given to a state political party for deposit 127  
 in a Levin account pursuant to section 3517.1013 of the Revised 128  
 Code. As used in this division, "Levin account" has the same 129  
 meaning as in that section. 130

(h) Any donation given to a transition fund under section 131  
 3517.1014 of the Revised Code. 132



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(6) "Expenditure" means the disbursement or use of a contribution or other funds for the purpose of influencing the results of an election or of making a charitable donation under division (G) of section 3517.08 of the Revised Code. Any disbursement or use of a contribution by a state or county political party is an expenditure and shall be considered either to be made for the purpose of influencing the results of an election or to be made as a charitable donation under division (G) of section 3517.08 of the Revised Code and shall be reported on a statement of expenditures filed under section 3517.10 of the Revised Code. During the thirty days preceding a primary or general election, any disbursement to pay the direct costs of producing or airing a broadcast, cable, or satellite communication that refers to a clearly identified candidate shall be considered to be made for the purpose of influencing the results of that election and shall be reported as an expenditure or as an independent expenditure under section 3517.10 or 3517.105 of the Revised Code, as applicable, except that the information required to be reported regarding contributors for those expenditures or independent expenditures shall be the same as the information required to be reported under divisions (D)(1) and (2) of section 3517.1011 of the Revised Code.

As used in this division, "broadcast, cable, or satellite communication" and "refers to a clearly identified candidate" have the same meanings as in section 3517.1011 of the Revised Code.

(7) "Personal expenses" includes, but is not limited to, ordinary expenses for accommodations, clothing, food, personal motor vehicle or airplane, and home telephone.

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(8) "Political action committee" means a combination of two or more persons, the primary or major purpose of which is to support or oppose any candidate, political party, or issue, or to influence the result of any election through express advocacy, and that is not a political party, a campaign committee, a political contributing entity, or a legislative campaign fund. "Political action committee" does not include either of the following:

(a) A continuing association that makes disbursements for the direct costs of producing or airing electioneering communications and that does not engage in express advocacy;

(b) A political club that is formed primarily for social purposes and that consists of one hundred members or less, has officers and periodic meetings, has less than two thousand five hundred dollars in its treasury at all times, and makes an aggregate total contribution of one thousand dollars or less per calendar year.

(9) "Public office" means any state, county, municipal, township, or district office, except an office of a political party, that is filled by an election and the offices of United States senator and representative.

(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.

(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists.

(12) "Campaign fund" means money or other property,

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including contributions. 192

(13) "Public official or employee" has the same meaning as 193  
in section 102.01 of the Revised Code. 194

(14) "Caucus" means all of the members of the house of 195  
representatives or all of the members of the senate of the 196  
general assembly who are members of the same political party. 197

(15) "Legislative campaign fund" means a fund that is 198  
established as an auxiliary of a state political party and 199  
associated with one of the houses of the general assembly. 200

(16) "In-kind contribution" means anything of value other 201  
than money that is used to influence the results of an election 202  
or is transferred to or used in support of or in opposition to a 203  
candidate, campaign committee, legislative campaign fund, 204  
political party, political action committee, or political 205  
contributing entity and that is made with the consent of, in 206  
coordination, cooperation, or consultation with, or at the 207  
request or suggestion of the benefited candidate, committee, 208  
fund, party, or entity. The financing of the dissemination, 209  
distribution, or republication, in whole or part, of any 210  
broadcast or of any written, graphic, or other form of campaign 211  
materials prepared by the candidate, the candidate's campaign 212  
committee, or their authorized agents is an in-kind contribution 213  
to the candidate and an expenditure by the candidate. 214

~~(17)~~ (17) (a) "Independent expenditure" means ~~an either of~~ 215  
the following: 216

(i) An expenditure by a person advocating the election or 217  
defeat of an identified candidate or candidates, that is not 218  
made with the consent of, in coordination, cooperation, or 219  
consultation with, or at the request or suggestion of any 220

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candidate or candidates or of the campaign committee or agent of 221  
the candidate or candidates; 222

(ii) An expenditure by a person advocating support of or 223  
opposition to an identified ballot issue or question or to 224  
achieve the successful circulation of an initiative or 225  
referendum petition in order to place such an issue or question 226  
on the ballot, regardless of whether the ballot issue or 227  
question has yet been certified to appear on the ballot. As- 228

(b) As used in division ~~(C) (17)~~ (C) (17) (a) of this 229  
section: 230

~~(a)~~ (i) "Person" means an individual, partnership, 231  
unincorporated business organization or association, political 232  
action committee, political contributing entity, separate 233  
segregated fund, association, or other organization or group of 234  
persons, but not a labor organization or a corporation unless 235  
the labor organization or corporation is a political 236  
contributing entity. 237

~~(b)~~ (ii) "Advocating" means any communication containing a 238  
message advocating election or defeat. 239

~~(c)~~ (iii) "Identified candidate" means that the name of 240  
the candidate appears, a photograph or drawing of the candidate 241  
appears, or the identity of the candidate is otherwise apparent 242  
by unambiguous reference. 243

~~(d)~~ (iv) "Made in coordination, cooperation, or 244  
consultation with, or at the request or suggestion of, any 245  
candidate or the campaign committee or agent of the candidate" 246  
means made pursuant to any arrangement, coordination, or 247  
direction by the candidate, the candidate's campaign committee, 248  
or the candidate's agent prior to the publication, distribution, 249

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display, or broadcast of the communication. An expenditure is 250  
 presumed to be so made when it is any of the following: 251

~~(i)~~ (I) Based on information about the candidate's plans, 252  
 projects, or needs provided to the person making the expenditure 253  
 by the candidate, or by the candidate's campaign committee or 254  
 agent, with a view toward having an expenditure made; 255

~~(ii)~~ (II) Made by or through any person who is, or has 256  
 been, authorized to raise or expend funds, who is, or has been, 257  
 an officer of the candidate's campaign committee, or who is, or 258  
 has been, receiving any form of compensation or reimbursement 259  
 from the candidate or the candidate's campaign committee or 260  
 agent; 261

~~(iii)~~ (III) Except as otherwise provided in division (D) 262  
 of section 3517.105 of the Revised Code, made by a political 263  
 party in support of a candidate, unless the expenditure is made 264  
 by a political party to conduct voter registration or voter 265  
 education efforts. 266

~~(e)~~ (v) "Agent" means any person who has actual oral or 267  
 written authority, either express or implied, to make or to 268  
 authorize the making of expenditures on behalf of a candidate, 269  
 or means any person who has been placed in a position with the 270  
 candidate's campaign committee or organization such that it 271  
 would reasonably appear that in the ordinary course of campaign- 272  
 related activities the person may authorize expenditures. 273

(18) "Labor organization" means a labor union; an employee 274  
 organization; a federation of labor unions, groups, locals, or 275  
 other employee organizations; an auxiliary of a labor union, 276  
 employee organization, or federation of labor unions, groups, 277  
 locals, or other employee organizations; or any other bona fide 278

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organization in which employees participate and that exists for 279  
the purpose, in whole or in part, of dealing with employers 280  
concerning grievances, labor disputes, wages, hours, and other 281  
terms and conditions of employment. 282

(19) "Separate segregated fund" means a separate 283  
segregated fund established pursuant to the Federal Election 284  
Campaign Act. 285

(20) "Federal Election Campaign Act" means the "Federal 286  
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 287  
seq., as amended. 288

(21) "Restricted fund" means the fund a state or county 289  
political party must establish under division (A) (1) of section 290  
3517.1012 of the Revised Code. 291

(22) "Electioneering communication" has the same meaning 292  
as in section 3517.1011 of the Revised Code. 293

(23) "Express advocacy" means a communication that 294  
contains express words advocating the nomination, election, or 295  
defeat of a candidate or that contains express words advocating 296  
the adoption or defeat of a question or issue, as determined by 297  
a final judgment of a court of competent jurisdiction. 298

(24) "Political committee" has the same meaning as in 299  
section 3517.1011 of the Revised Code. 300

(25) "Political contributing entity" means any entity, 301  
including a corporation or labor organization, that may lawfully 302  
make contributions and expenditures and that is not an 303  
individual or a political action committee, continuing 304  
association, campaign committee, political party, legislative 305  
campaign fund, designated state campaign committee, or state 306  
candidate fund. For purposes of this division, "lawfully" means 307

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not prohibited by any section of the Revised Code, or authorized 308  
 by a final judgment of a court of competent jurisdiction. 309

(26) "Internet identifier of record" has the same meaning 310  
 as in section 9.312 of the Revised Code. 311

**Sec. 3517.10.** (A) Except as otherwise provided in this 312  
 division, every campaign committee, political action committee, 313  
 legislative campaign fund, political party, and political 314  
 contributing entity that made or received a contribution or made 315  
 an expenditure in connection with the nomination or election of 316  
 any candidate or in connection with any ballot issue or question 317  
 at any election held or to be held in this state shall file, on 318  
 a form prescribed under this section or by electronic means of 319  
 transmission as provided in this section and section 3517.106 of 320  
 the Revised Code, a full, true, and itemized statement, made 321  
 under penalty of election falsification, setting forth in detail 322  
 the contributions and expenditures, not later than four p.m. of 323  
 the following dates: 324

(1) The twelfth day before the election to reflect 325  
 contributions received and expenditures made from the close of 326  
 business on the last day reflected in the last previously filed 327  
 statement, if any, to the close of business on the twentieth day 328  
 before the election; 329

(2) The thirty-eighth day after the election to reflect 330  
 the contributions received and expenditures made from the close 331  
 of business on the last day reflected in the last previously 332  
 filed statement, if any, to the close of business on the seventh 333  
 day before the filing of the statement; 334

(3) The last business day of January of every year to 335  
 reflect the contributions received and expenditures made from 336

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the close of business on the last day reflected in the last 337  
previously filed statement, if any, to the close of business on 338  
the last day of December of the previous year; 339

(4) The last business day of July of every year to reflect 340  
the contributions received and expenditures made from the close 341  
of business on the last day reflected in the last previously 342  
filed statement, if any, to the close of business on the last 343  
day of June of that year. 344

A campaign committee shall only be required to file the 345  
statements prescribed under divisions (A)(1) and (2) of this 346  
section in connection with the nomination or election of the 347  
committee's candidate. 348

The statement required under division (A)(1) of this 349  
section shall not be required of any campaign committee, 350  
political action committee, legislative campaign fund, political 351  
party, or political contributing entity that has received 352  
contributions of less than one thousand dollars and has made 353  
expenditures of less than one thousand dollars at the close of 354  
business on the twentieth day before the election. Those 355  
contributions and expenditures shall be reported in the 356  
statement required under division (A)(2) of this section. 357

If an election to select candidates to appear on the 358  
general election ballot is held within sixty days before a 359  
general election, the campaign committee of a successful 360  
candidate in the earlier election may file the statement 361  
required by division (A)(1) of this section for the general 362  
election instead of the statement required by division (A)(2) of 363  
this section for the earlier election if the pregeneral election 364  
statement reflects the status of contributions and expenditures 365  
for the period twenty days before the earlier election to twenty 366



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days before the general election. 367

If a person becomes a candidate less than twenty days 368  
before an election, the candidate's campaign committee is not 369  
required to file the statement required by division (A)(1) of 370  
this section. 371

No statement under division (A)(3) of this section shall 372  
be required for any year in which a campaign committee, 373  
political action committee, legislative campaign fund, political 374  
party, or political contributing entity is required to file a 375  
postgeneral election statement under division (A)(2) of this 376  
section. However, a statement under division (A)(3) of this 377  
section may be filed, at the option of the campaign committee, 378  
political action committee, legislative campaign fund, political 379  
party, or political contributing entity. 380

No campaign committee of a candidate for the office of 381  
chief justice or justice of the supreme court, and no campaign 382  
committee of a candidate for the office of judge of any court in 383  
this state, shall be required to file a statement under division 384  
(A)(4) of this section. 385

Except as otherwise provided in this paragraph and in the 386  
next paragraph of this section, the only campaign committees 387  
required to file a statement under division (A)(4) of this 388  
section are the campaign committee of a statewide candidate and 389  
the campaign committee of a candidate for county office. The 390  
campaign committee of a candidate for any other nonjudicial 391  
office is required to file a statement under division (A)(4) of 392  
this section if that campaign committee receives, during that 393  
period, contributions exceeding ten thousand dollars. 394

No statement under division (A)(4) of this section shall 395

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be required of a campaign committee, a political action 396  
 committee, a legislative campaign fund, a political party, or a 397  
 political contributing entity for any year in which the campaign 398  
 committee, political action committee, legislative campaign 399  
 fund, political party, or political contributing entity is 400  
 required to file a postprimary election statement under division 401  
 (A) (2) of this section. However, a statement under division (A) 402  
 (4) of this section may be filed at the option of the campaign 403  
 committee, political action committee, legislative campaign 404  
 fund, political party, or political contributing entity. 405

No statement under division (A) (3) or (4) of this section 406  
 shall be required if the campaign committee, political action 407  
 committee, legislative campaign fund, political party, or 408  
 political contributing entity has no contributions that it has 409  
 received and no expenditures that it has made since the last 410  
 date reflected in its last previously filed statement. However, 411  
 the campaign committee, political action committee, legislative 412  
 campaign fund, political party, or political contributing entity 413  
 shall file a statement to that effect, on a form prescribed 414  
 under this section and made under penalty of election 415  
 falsification, on the date required in division (A) (3) or (4) of 416  
 this section, as applicable. 417

The campaign committee of a statewide candidate shall file 418  
 a monthly statement of contributions received during each of the 419  
 months of July, August, and September in the year of the general 420  
 election in which the candidate seeks office. The campaign 421  
 committee of a statewide candidate shall file the monthly 422  
 statement not later than three business days after the last day 423  
 of the month covered by the statement. During the period 424  
 beginning on the nineteenth day before the general election in 425  
 which a statewide candidate seeks election to office and 426

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extending through the day of that general election, each time 427  
the campaign committee of the joint candidates for the offices 428  
of governor and lieutenant governor or of a candidate for the 429  
office of secretary of state, auditor of state, treasurer of 430  
state, or attorney general receives a contribution from a 431  
contributor that causes the aggregate amount of contributions 432  
received from that contributor during that period to equal or 433  
exceed ten thousand dollars and each time the campaign committee 434  
of a candidate for the office of chief justice or justice of the 435  
supreme court receives a contribution from a contributor that 436  
causes the aggregate amount of contributions received from that 437  
contributor during that period to exceed ten thousand dollars, 438  
the campaign committee shall file a two-business-day statement 439  
reflecting that contribution. Contributions reported on a two- 440  
business-day statement required to be filed by a campaign 441  
committee of a statewide candidate in a primary election shall 442  
also be included in the postprimary election statement required 443  
to be filed by that campaign committee under division (A) (2) of 444  
this section. A two-business-day statement required by this 445  
paragraph shall be filed not later than two business days after 446  
receipt of the contribution. The statements required by this 447  
paragraph shall be filed in addition to any other statements 448  
required by this section. 449

Subject to the secretary of state having implemented, 450  
tested, and verified the successful operation of any system the 451  
secretary of state prescribes pursuant to divisions (C) (6) (b) 452  
and (D) (6) of this section and division (F) (1) of section 453  
3517.106 of the Revised Code for the filing of campaign finance 454  
statements by electronic means of transmission, a campaign 455  
committee of a statewide candidate shall file a two-business-day 456  
statement under the preceding paragraph by electronic means of 457

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transmission if the campaign committee is required to file a 458  
pre-election, postelection, or monthly statement of 459  
contributions and expenditures by electronic means of 460  
transmission under this section or section 3517.106 of the 461  
Revised Code. 462

If a campaign committee or political action committee has 463  
no balance on hand and no outstanding obligations and desires to 464  
terminate itself, it shall file a statement to that effect, on a 465  
form prescribed under this section and made under penalty of 466  
election falsification, with the official with whom it files a 467  
statement under division (A) of this section after filing a 468  
final statement of contributions and a final statement of 469  
expenditures, if contributions have been received or 470  
expenditures made since the period reflected in its last 471  
previously filed statement. 472

(B) Except as otherwise provided in division (C) (7) of 473  
this section, each statement required by division (A) of this 474  
section shall contain the following information: 475

(1) The full name and address of each campaign committee, 476  
political action committee, legislative campaign fund, political 477  
party, or political contributing entity, including any treasurer 478  
of the committee, fund, party, or entity, filing a contribution 479  
and expenditure statement; 480

(2) (a) In the case of a campaign committee, the 481  
candidate's full name and address; 482

(b) In the case of a political action committee, the 483  
registration number assigned to the committee under division (D) 484  
(1) of this section. 485

(3) The date of the election and whether it was or will be 486

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a general, primary, or special election; 487

(4) A statement of contributions received, which shall 488  
include the following information: 489

(a) The month, day, and year of the contribution; 490

(b) (i) The full name and address of each person, political 491  
party, campaign committee, legislative campaign fund, political 492  
action committee, or political contributing entity from whom 493  
contributions are received and the registration number assigned 494  
to the political action committee under division (D)(1) of this 495  
section. The requirement of filing the full address does not 496  
apply to any statement filed by a state or local committee of a 497  
political party, to a finance committee of such committee, or to 498  
a committee recognized by a state or local committee as its 499  
fund-raising auxiliary. Notwithstanding division (F) of this 500  
section, the requirement of filing the full address shall be 501  
considered as being met if the address filed is the same address 502  
the contributor provided under division (E)(1) of this section. 503

(ii) If a political action committee, political 504  
contributing entity, legislative campaign fund, or political 505  
party that is required to file campaign finance statements by 506  
electronic means of transmission under section 3517.106 of the 507  
Revised Code or a campaign committee of a statewide candidate or 508  
candidate for the office of member of the general assembly 509  
receives a contribution from an individual that exceeds one 510  
hundred dollars, the name of the individual's current employer, 511  
if any, or, if the individual is self-employed, the individual's 512  
occupation and the name of the individual's business, if any; 513

(iii) If a campaign committee of a statewide candidate or 514  
candidate for the office of member of the general assembly 515

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receives a contribution transmitted pursuant to section 3599.031 516  
of the Revised Code from amounts deducted from the wages and 517  
salaries of two or more employees that exceeds in the aggregate 518  
one hundred dollars during any one filing period under division 519  
(A)(1), (2), (3), or (4) of this section, the full name of the 520  
employees' employer and the full name of the labor organization 521  
of which the employees are members, if any. 522

(c) A description of the contribution received, if other 523  
than money; 524

(d) The value in dollars and cents of the contribution; 525

(e) A separately itemized account of all contributions and 526  
expenditures regardless of the amount, except a receipt of a 527  
contribution from a person in the sum of twenty-five dollars or 528  
less at one social or fund-raising activity and a receipt of a 529  
contribution transmitted pursuant to section 3599.031 of the 530  
Revised Code from amounts deducted from the wages and salaries 531  
of employees if the contribution from the amount deducted from 532  
the wages and salary of any one employee is twenty-five dollars 533  
or less aggregated in a calendar year. An account of the total 534  
contributions from each social or fund-raising activity shall 535  
include a description of and the value of each in-kind 536  
contribution received at that activity from any person who made 537  
one or more such contributions whose aggregate value exceeded 538  
two hundred fifty dollars and shall be listed separately, 539  
together with the expenses incurred and paid in connection with 540  
that activity. A campaign committee, political action committee, 541  
legislative campaign fund, political party, or political 542  
contributing entity shall keep records of contributions from 543  
each person in the amount of twenty-five dollars or less at one 544  
social or fund-raising activity and contributions from amounts 545

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deducted under section 3599.031 of the Revised Code from the 546  
wages and salary of each employee in the amount of twenty-five 547  
dollars or less aggregated in a calendar year. No continuing 548  
association that is recognized by a state or local committee of 549  
a political party as an auxiliary of the party and that makes a 550  
contribution from funds derived solely from regular dues paid by 551  
members of the auxiliary shall be required to list the name or 552  
address of any members who paid those dues. 553

Contributions that are other income shall be itemized 554  
separately from all other contributions. The information 555  
required under division (B) (4) of this section shall be provided 556  
for all other income itemized. As used in this paragraph, "other 557  
income" means a loan, investment income, or interest income. 558

(f) In the case of a campaign committee of a state elected 559  
officer, if a person doing business with the state elected 560  
officer in the officer's official capacity makes a contribution 561  
to the campaign committee of that officer, the information 562  
required under division (B) (4) of this section in regard to that 563  
contribution, which shall be filed together with and considered 564  
a part of the committee's statement of contributions as required 565  
under division (A) of this section but shall be filed on a 566  
separate form provided by the secretary of state. As used in 567  
this division: 568

(i) "State elected officer" has the same meaning as in 569  
section 3517.092 of the Revised Code. 570

(ii) "Person doing business" means a person or an officer 571  
of an entity who enters into one or more contracts with a state 572  
elected officer or anyone authorized to enter into contracts on 573  
behalf of that officer to receive payments for goods or 574  
services, if the payments total, in the aggregate, more than 575

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five thousand dollars during a calendar year. 576

(5) A statement of expenditures which shall include the 577  
following information: 578

(a) The month, day, and year of the expenditure; 579

(b) The full name and address of each person, political 580  
party, campaign committee, legislative campaign fund, political 581  
action committee, or political contributing entity to whom the 582  
expenditure was made and the registration number assigned to the 583  
political action committee under division (D) (1) of this 584  
section; 585

(c) The object or purpose for which the expenditure was 586  
made; 587

(d) The amount of each expenditure. 588

(C) (1) The statement of contributions and expenditures 589  
shall be signed by the person completing the form. If a 590  
statement of contributions and expenditures is filed by 591  
electronic means of transmission pursuant to this section or 592  
section 3517.106 of the Revised Code, the electronic signature 593  
of the person who executes the statement and transmits the 594  
statement by electronic means of transmission, as provided in 595  
division (F) of section 3517.106 of the Revised Code, shall be 596  
attached to or associated with the statement and shall be 597  
binding on all persons and for all purposes under the campaign 598  
finance reporting law as if the signature had been handwritten 599  
in ink on a printed form. 600

(2) The person filing the statement, under penalty of 601  
election falsification, shall include with it a-both of the 602  
following: 603



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(a) A list of each anonymous contribution, the 604  
circumstances under which it was received, and the reason it 605  
cannot be attributed to a specific donor; 606

(b) A certification that the campaign committee, political 607  
action committee, legislative campaign fund, political party, or 608  
political contributing entity, as applicable, has not knowingly 609  
accepted any contribution that is prohibited under this chapter 610  
or section 3599.03 or 3599.031 of the Revised Code, including 611  
under division (W) of section 3517.13 of the Revised Code, 612  
during the period covered by the statement. 613

(3) Each statement of a campaign committee of a candidate 614  
who holds public office shall contain a designation of each 615  
contributor who is an employee in any unit or department under 616  
the candidate's direct supervision and control. In a space 617  
provided in the statement, the person filing the statement shall 618  
affirm that each such contribution was voluntarily made. 619

(4) A campaign committee that did not receive 620  
contributions or make expenditures in connection with the 621  
nomination or election of its candidate shall file a statement 622  
to that effect, on a form prescribed under this section and made 623  
under penalty of election falsification, on the date required in 624  
division (A) (2) of this section. 625

(5) The campaign committee of any person who attempts to 626  
become a candidate and who, for any reason, does not become 627  
certified in accordance with Title XXXV of the Revised Code for 628  
placement on the official ballot of a primary, general, or 629  
special election to be held in this state, and who, at any time 630  
prior to or after an election, receives contributions or makes 631  
expenditures, or has given consent for another to receive 632  
contributions or make expenditures, for the purpose of bringing 633

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about the person's nomination or election to public office, 634  
shall file the statement or statements prescribed by this 635  
section and a termination statement, if applicable. Division (C) 636  
(5) of this section does not apply to any person with respect to 637  
an election to the offices of member of a county or state 638  
central committee, presidential elector, or delegate to a 639  
national convention or conference of a political party. 640

(6) (a) The statements required to be filed under this 641  
section shall specify the balance in the hands of the campaign 642  
committee, political action committee, legislative campaign 643  
fund, political party, or political contributing entity and the 644  
disposition intended to be made of that balance. 645

(b) The secretary of state shall prescribe the form for 646  
all statements required to be filed under this section and shall 647  
furnish the forms to the boards of elections in the several 648  
counties. The boards of elections shall supply printed copies of 649  
those forms without charge. The secretary of state shall 650  
prescribe the appropriate methodology, protocol, and data file 651  
structure for statements required or permitted to be filed by 652  
electronic means of transmission to the secretary of state or a 653  
board of elections under division (A) of this section, division 654  
(E) of section 3517.106, division (D) of section 3517.1011, 655  
division (B) of section 3517.1012, division (C) of section 656  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 657  
Revised Code. Subject to division (A) of this section, division 658  
(E) of section 3517.106, division (D) of section 3517.1011, 659  
division (B) of section 3517.1012, division (C) of section 660  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 661  
Revised Code, the statements required to be stored on computer 662  
by the secretary of state under division (B) of section 3517.106 663  
of the Revised Code shall be filed in whatever format the 664

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secretary of state considers necessary to enable the secretary 665  
of state to store the information contained in the statements on 666  
computer. Any such format shall be of a type and nature that is 667  
readily available to whoever is required to file the statements 668  
in that format. 669

(c) The secretary of state shall assess the need for 670  
training regarding the filing of campaign finance statements by 671  
electronic means of transmission and regarding associated 672  
technologies for candidates, campaign committees, political 673  
action committees, legislative campaign funds, political 674  
parties, or political contributing entities, for individuals, 675  
partnerships, or other entities, for persons making 676  
disbursements to pay the direct costs of producing or airing 677  
electioneering communications, or for treasurers of transition 678  
funds, required or permitted to file statements by electronic 679  
means of transmission under this section or section 3517.105, 680  
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 681  
Revised Code. If, in the opinion of the secretary of state, 682  
training in these areas is necessary, the secretary of state 683  
shall arrange for the provision of voluntary training programs 684  
for candidates, campaign committees, political action 685  
committees, legislative campaign funds, political parties, or 686  
political contributing entities, for individuals, partnerships, 687  
and other entities, for persons making disbursements to pay the 688  
direct costs of producing or airing electioneering 689  
communications, or for treasurers of transition funds, as 690  
appropriate. 691

(7) Each monthly statement and each two-business-day 692  
statement required by division (A) of this section shall contain 693  
the information required by divisions (B)(1) to (4), (C)(2), 694  
and, if appropriate, (C)(3) of this section. Each statement 695

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shall be signed as required by division (C) (1) of this section. 696

(D) (1) (a) Prior to receiving a contribution or making an 697  
expenditure, every campaign committee, political action 698  
committee, legislative campaign fund, political party, or 699  
political contributing entity shall appoint a treasurer and 700  
shall file, on a form prescribed by the secretary of state, a 701  
designation of that appointment, including the full name and 702  
address of the treasurer and of the campaign committee, 703  
political action committee, legislative campaign fund, political 704  
party, or political contributing entity. That designation shall 705  
be filed with the official with whom the campaign committee, 706  
political action committee, legislative campaign fund, political 707  
party, or political contributing entity is required to file 708  
statements under section 3517.11 of the Revised Code. The name 709  
of a campaign committee shall include at least the last name of 710  
the campaign committee's candidate. If two or more candidates 711  
are the beneficiaries of a single campaign committee under 712  
division (B) of section 3517.081 of the Revised Code, the name 713  
of the campaign committee shall include at least the last name 714  
of each candidate who is a beneficiary of that campaign 715  
committee. The secretary of state shall assign a registration 716  
number to each political action committee that files a 717  
designation of the appointment of a treasurer under this 718  
division if the political action committee is required by 719  
division (A) (1) of section 3517.11 of the Revised Code to file 720  
the statements prescribed by this section with the secretary of 721  
state. 722

(b) The form of the designation of treasurer shall require 723  
the filer to certify, under penalty of election falsification, 724  
that the campaign committee, political action committee, 725  
legislative campaign fund, political party, or political 726

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contributing entity, as applicable, has not knowingly accepted, 727  
and will not knowingly accept, any contribution that is 728  
prohibited under this chapter or section 3599.03 or 3599.031 of 729  
the Revised Code, including under division (W) of section 730  
3517.13 of the Revised Code. 731

(c) The secretary of state shall not accept for filing a 732  
designation of treasurer of a political action committee or 733  
political contributing entity if, in the opinion of the 734  
secretary of state, the name of the political action committee 735  
or political contributing entity would lead a reasonable person 736  
to believe that the political action committee or political 737  
contributing entity acts on behalf of or represents a county 738  
political party, unless the designation is accompanied by a 739  
written statement, signed by the chairperson of the county 740  
political party's executive committee, granting the political 741  
action committee or political contributing entity permission to 742  
act on behalf of or represent the county political party. 743

(2) The treasurer appointed under division (D)(1) of this 744  
section shall keep a strict account of all contributions, from 745  
whom received and the purpose for which they were disbursed. 746

(3) (a) Except as otherwise provided in section 3517.108 of 747  
the Revised Code, a campaign committee shall deposit all 748  
monetary contributions received by the committee into an account 749  
separate from a personal or business account of the candidate or 750  
campaign committee. 751

(b) A political action committee shall deposit all 752  
monetary contributions received by the committee into an account 753  
separate from all other funds. 754

(c) A state or county political party may establish a 755

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state candidate fund that is separate from all other funds. A 756  
state or county political party may deposit into its state 757  
candidate fund any amounts of monetary contributions that are 758  
made to or accepted by the political party subject to the 759  
applicable limitations, if any, prescribed in section 3517.102 760  
of the Revised Code. A state or county political party shall 761  
deposit all other monetary contributions received by the party 762  
into one or more accounts that are separate from its state 763  
candidate fund. 764

(d) Each state political party shall have only one 765  
legislative campaign fund for each house of the general 766  
assembly. Each such fund shall be separate from any other funds 767  
or accounts of that state party. A legislative campaign fund is 768  
authorized to receive contributions and make expenditures for 769  
the primary purpose of furthering the election of candidates who 770  
are members of that political party to the house of the general 771  
assembly with which that legislative campaign fund is 772  
associated. Each legislative campaign fund shall be administered 773  
and controlled in a manner designated by the caucus. As used in 774  
this division, "caucus" has the same meaning as in section 775  
3517.01 of the Revised Code and includes, as an ex officio 776  
member, the chairperson of the state political party with which 777  
the caucus is associated or that chairperson's designee. 778

(4) Every expenditure in excess of twenty-five dollars 779  
shall be vouched for by a receipted bill, stating the purpose of 780  
the expenditure, that shall be filed with the statement of 781  
expenditures. A canceled check with a notation of the purpose of 782  
the expenditure is a receipted bill for purposes of division (D) 783  
(4) of this section. 784

(5) The secretary of state or the board of elections, as 785

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the case may be, shall issue a receipt for each statement filed 786  
under this section and shall preserve a copy of the receipt for 787  
a period of at least six years. All statements filed under this 788  
section shall be open to public inspection in the office where 789  
they are filed and shall be carefully preserved for a period of 790  
at least six years after the year in which they are filed. 791

(6) The secretary of state, by rule adopted pursuant to 792  
section 3517.23 of the Revised Code, shall prescribe both of the 793  
following: 794

(a) The manner of immediately acknowledging, with date and 795  
time received, and preserving the receipt of statements that are 796  
transmitted by electronic means of transmission to the secretary 797  
of state or a board of elections pursuant to this section or 798  
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 799  
of the Revised Code; 800

(b) The manner of preserving the contribution and 801  
expenditure, contribution and disbursement, deposit and 802  
disbursement, gift and disbursement, or donation and 803  
disbursement information in the statements described in division 804  
(D) (6) (a) of this section. The secretary of state shall preserve 805  
the contribution and expenditure, contribution and disbursement, 806  
deposit and disbursement, gift and disbursement, or donation and 807  
disbursement information in those statements for at least ten 808  
years after the year in which they are filed by electronic means 809  
of transmission. 810

(7) (a) The secretary of state, pursuant to division (G) of 811  
section 3517.106 of the Revised Code, shall make available 812  
online to the public through the internet the contribution and 813  
expenditure, contribution and disbursement, deposit and 814  
disbursement, gift and disbursement, or donation and 815

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disbursement information in all of the following documents: 816

(i) All statements, all addenda, amendments, or other 817  
corrections to statements, and all amended statements filed with 818  
the secretary of state by electronic or other means of 819  
transmission under this section, division (B) (2) (b) or (C) (2) (b) 820  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 821  
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 822

(ii) All statements filed with a board of elections by 823  
electronic means of transmission, and all addenda, amendments, 824  
corrections, and amended versions of those statements, filed 825  
with the board under this section, division (B) (2) (b) or (C) (2) 826  
(b) of section 3517.105, or section 3517.106, 3517.1012, or 827  
3517.11 of the Revised Code. 828

(b) The secretary of state may remove the information from 829  
the internet after a reasonable period of time. 830

(E) (1) Any person, political party, campaign committee, 831  
legislative campaign fund, political action committee, or 832  
political contributing entity that makes a contribution in 833  
connection with the nomination or election of any candidate or 834  
in connection with any ballot issue or question at any election 835  
held or to be held in this state shall provide its full name and 836  
address to the recipient of the contribution at the time the 837  
contribution is made. The political action committee also shall 838  
provide the registration number assigned to the committee under 839  
division (D) (1) of this section to the recipient of the 840  
contribution at the time the contribution is made. 841

(2) Any individual who makes a contribution that exceeds 842  
one hundred dollars to a political action committee, political 843  
contributing entity, legislative campaign fund, or political 844



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party or to a campaign committee of a statewide candidate or 845  
candidate for the office of member of the general assembly shall 846  
provide the name of the individual's current employer, if any, 847  
or, if the individual is self-employed, the individual's 848  
occupation and the name of the individual's business, if any, to 849  
the recipient of the contribution at the time the contribution 850  
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 851  
apply to division (E)(2) of this section. 852

(3) If a campaign committee shows that it has exercised 853  
its best efforts to obtain, maintain, and submit the information 854  
required under divisions (B)(4)(b)(ii) and (iii) of this 855  
section, that committee is considered to have met the 856  
requirements of those divisions. A campaign committee shall not 857  
be considered to have exercised its best efforts unless, in 858  
connection with written solicitations, it regularly includes a 859  
written request for the information required under division (B) 860  
(4)(b)(ii) of this section from the contributor or the 861  
information required under division (B)(4)(b)(iii) of this 862  
section from whoever transmits the contribution. 863

(4) Any check that a political action committee uses to 864  
make a contribution or an expenditure shall contain the full 865  
name and address of the committee and the registration number 866  
assigned to the committee under division (D)(1) of this section. 867

(F) As used in this section: 868

(1)(a) Except as otherwise provided in division (F)(1) of 869  
this section, "address" means all of the following if they 870  
exist: apartment number, street, road, or highway name and 871  
number, rural delivery route number, city or village, state, and 872  
zip code as used in a person's post-office address, but not 873  
post-office box. 874

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(b) Except as otherwise provided in division (F)(1) of 875  
this section, if an address is required in this section, a post- 876  
office box and office, room, or suite number may be included in 877  
addition to, but not in lieu of, an apartment, street, road, or 878  
highway name and number. 879

(c) If an address is required in this section, a campaign 880  
committee, political action committee, legislative campaign 881  
fund, political party, or political contributing entity may use 882  
the business or residence address of its treasurer or deputy 883  
treasurer. The post-office box number of the campaign committee, 884  
political action committee, legislative campaign fund, political 885  
party, or political contributing entity may be used in addition 886  
to that address. 887

(d) For the sole purpose of a campaign committee's 888  
reporting of contributions on a statement of contributions 889  
received under division (B)(4) of this section, "address" has 890  
one of the following meanings at the option of the campaign 891  
committee: 892

(i) The same meaning as in division (F)(1)(a) of this 893  
section; 894

(ii) All of the following, if they exist: the 895  
contributor's post-office box number and city or village, state, 896  
and zip code as used in the contributor's post-office address. 897

(e) As used with regard to the reporting under this 898  
section of any expenditure, "address" means all of the following 899  
if they exist: apartment number, street, road, or highway name 900  
and number, rural delivery route number, city or village, state, 901  
and zip code as used in a person's post-office address, or post- 902  
office box. If an address concerning any expenditure is required 903

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in this section, a campaign committee, political action 904  
committee, legislative campaign fund, political party, or 905  
political contributing entity may use the business or residence 906  
address of its treasurer or deputy treasurer or its post-office 907  
box number. 908

(2) "Statewide candidate" means the joint candidates for 909  
the offices of governor and lieutenant governor or a candidate 910  
for the office of secretary of state, auditor of state, 911  
treasurer of state, attorney general, member of the state board 912  
of education, chief justice of the supreme court, or justice of 913  
the supreme court. 914

(3) "Candidate for county office" means a candidate for 915  
the office of county auditor, county treasurer, clerk of the 916  
court of common pleas, judge of the court of common pleas, 917  
sheriff, county recorder, county engineer, county commissioner, 918  
prosecuting attorney, or coroner. 919

(G) An independent expenditure shall be reported whenever 920  
and in the same manner that an expenditure is required to be 921  
reported under this section and shall be reported pursuant to 922  
division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the 923  
Revised Code. 924

(H) (1) Except as otherwise provided in division (H) (2) of 925  
this section, if, during the combined pre-election and 926  
postelection reporting periods for an election, a campaign 927  
committee has received contributions of five hundred dollars or 928  
less and has made expenditures in the total amount of five 929  
hundred dollars or less, it may file a statement to that effect, 930  
under penalty of election falsification, in lieu of the 931  
statement required by division (A) (2) of this section. The 932  
statement shall indicate the total amount of contributions 933

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received and the total amount of expenditures made during those 934  
combined reporting periods. 935

(2) In the case of a successful candidate at a primary 936  
election, if either the total contributions received by or the 937  
total expenditures made by the candidate's campaign committee 938  
during the preprimary, postprimary, pregeneral, and postgeneral 939  
election periods combined equal more than five hundred dollars, 940  
the campaign committee may file the statement under division (H) 941  
(1) of this section only for the primary election. The first 942  
statement that the campaign committee files in regard to the 943  
general election shall reflect all contributions received and 944  
all expenditures made during the preprimary and postprimary 945  
election periods. 946

(3) Divisions (H) (1) and (2) of this section do not apply 947  
if a campaign committee receives contributions or makes 948  
expenditures prior to the first day of January of the year of 949  
the election at which the candidate seeks nomination or election 950  
to office or if the campaign committee does not file a 951  
termination statement with its postprimary election statement in 952  
the case of an unsuccessful primary election candidate or with 953  
its postgeneral election statement in the case of other 954  
candidates. 955

(I) In the case of a contribution made by a partner of a 956  
partnership or an owner or a member of another unincorporated 957  
business from any funds of the partnership or other 958  
unincorporated business, all of the following apply: 959

(1) The recipient of the contribution shall report the 960  
contribution by listing both the partnership or other 961  
unincorporated business and the name of the partner, owner, or 962  
member making the contribution. 963

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(2) In reporting the contribution, the recipient of the 964  
contribution shall be entitled to conclusively rely upon the 965  
information provided by the partnership or other unincorporated 966  
business, provided that the information includes one of the 967  
following: 968

(a) The name of each partner, owner, or member as of the 969  
date of the contribution or contributions, and a statement that 970  
the total contributions are to be allocated equally among all of 971  
the partners, owners, or members; or 972

(b) The name of each partner, owner, or member as of the 973  
date of the contribution or contributions who is participating 974  
in the contribution or contributions, and a statement that the 975  
contribution or contributions are to be allocated to those 976  
individuals in accordance with the information provided by the 977  
partnership or other unincorporated business to the recipient of 978  
the contribution. 979

(3) For purposes of section 3517.102 of the Revised Code, 980  
the contribution shall be considered to have been made by the 981  
partner, owner, or member reported under division (I)(1) of this 982  
section. 983

(4) No contribution from a partner of a partnership or an 984  
owner or a member of another unincorporated business shall be 985  
accepted from any funds of the partnership or other 986  
unincorporated business unless the recipient reports the 987  
contribution under division (I)(1) of this section together with 988  
the information provided under division (I)(2) of this section. 989

(5) No partnership or other unincorporated business shall 990  
make a contribution or contributions solely in the name of the 991  
partnership or other unincorporated business. 992

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(6) As used in division (I) of this section, "partnership 993  
or other unincorporated business" includes, but is not limited 994  
to, a cooperative, a sole proprietorship, a general partnership, 995  
a limited partnership, a limited partnership association, a 996  
limited liability partnership, and a limited liability company. 997

(J) A candidate shall have only one campaign committee at 998  
any given time for all of the offices for which the person is a 999  
candidate or holds office. 1000

(K) (1) In addition to filing a designation of appointment 1001  
of a treasurer under division (D) (1) of this section, the 1002  
campaign committee of any candidate for an elected municipal 1003  
office that pays an annual amount of compensation of five 1004  
thousand dollars or less, the campaign committee of any 1005  
candidate for member of a board of education except member of 1006  
the state board of education, or the campaign committee of any 1007  
candidate for township trustee or township fiscal officer may 1008  
sign, under penalty of election falsification, a certificate 1009  
attesting that the committee will not accept contributions 1010  
during an election period that exceed in the aggregate two 1011  
thousand dollars from all contributors and one hundred dollars 1012  
from any one individual, and that the campaign committee will 1013  
not make expenditures during an election period that exceed in 1014  
the aggregate two thousand dollars. 1015

The certificate shall be on a form prescribed by the 1016  
secretary of state and shall be filed not later than ten days 1017  
after the candidate files a declaration of candidacy and 1018  
petition, a nominating petition, or a declaration of intent to 1019  
be a write-in candidate. 1020

(2) Except as otherwise provided in division (K) (3) of 1021  
this section, a campaign committee that files a certificate 1022

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under division (K) (1) of this section is not required to file 1023  
the statements required by division (A) of this section. 1024

(3) If, after filing a certificate under division (K) (1) 1025  
of this section, a campaign committee exceeds any of the 1026  
limitations described in that division during an election 1027  
period, the certificate is void and thereafter the campaign 1028  
committee shall file the statements required by division (A) of 1029  
this section. If the campaign committee has not previously filed 1030  
a statement, then on the first statement the campaign committee 1031  
is required to file under division (A) of this section after the 1032  
committee's certificate is void, the committee shall report all 1033  
contributions received and expenditures made from the time the 1034  
candidate filed the candidate's declaration of candidacy and 1035  
petition, nominating petition, or declaration of intent to be a 1036  
write-in candidate. 1037

(4) As used in division (K) of this section, "election 1038  
period" means the period of time beginning on the day a person 1039  
files a declaration of candidacy and petition, nominating 1040  
petition, or declaration of intent to be a write-in candidate 1041  
through the day of the election at which the person seeks 1042  
nomination to office if the person is not elected to office, or, 1043  
if the candidate was nominated in a primary election, the day of 1044  
the election at which the candidate seeks office. 1045

(L) A political contributing entity that receives 1046  
contributions from the dues, membership fees, or other 1047  
assessments of its members or from its officers, shareholders, 1048  
and employees may report the aggregate amount of contributions 1049  
received from those contributors and the number of individuals 1050  
making those contributions, for each filing period under 1051  
divisions (A) (1), (2), (3), and (4) of this section, rather than 1052

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reporting information as required under division (B) (4) of this 1053  
 section, including, when applicable, the name of the current 1054  
 employer, if any, of a contributor whose contribution exceeds 1055  
 one hundred dollars or, if such a contributor is self-employed, 1056  
 the contributor's occupation and the name of the contributor's 1057  
 business, if any. Division (B) (4) of this section applies to a 1058  
 political contributing entity with regard to contributions it 1059  
 receives from all other contributors. 1060

**Sec. 3517.12.** (A) ~~Prior to receiving a contribution or~~ 1061  
~~making an expenditure, the circulator or~~ If the committee in 1062  
 charge of an initiative or referendum petition, or supplementary 1063  
 petition for additional signatures, for the submission to the 1064  
electors of a ~~constitutional amendment, proposed law, section,~~ 1065  
~~or item of any law~~ ballot issue or question receives a 1066  
contribution or makes an expenditure for the purpose of 1067  
achieving the successful circulation of the petition, the 1068  
committee is considered a political action committee for that 1069  
purpose and shall ~~appoint a treasurer and shall file with the~~ 1070  
~~secretary of state, on a form prescribed by the secretary of~~ 1071  
~~state, a designation of that appointment, including the full~~ 1072  
~~name and address of the treasurer and of the circulator or~~ 1073  
~~committee~~ comply with all applicable requirements of this 1074  
chapter concerning political action committees, including filing 1075  
a designation of treasurer under division (D) of section 3517.10 1076  
of the Revised Code before receiving a contribution or making an 1077  
expenditure and filing all required statements of contributions 1078  
and expenditures. 1079

(B) ~~The circulator or~~ If the committee in charge of an 1080  
 initiative or referendum petition, or supplementary petition for 1081  
 additional signatures, for the submission to the electors of a 1082  
~~constitutional amendment, proposed law, section, or item of any~~ 1083



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~~law ballot issue or question receives no contributions and makes~~ 1084  
~~no expenditures for the purpose of achieving the successful~~ 1085  
~~circulation of the petition, and is not otherwise considered a~~ 1086  
~~campaign committee, political party, legislative campaign fund,~~ 1087  
~~political action committee, or political contributing entity,~~ 1088  
~~then the committee shall, within thirty days after those the~~ 1089  
~~petition papers are is filed, file with the secretary of state~~ 1090  
~~office with which the petition is filed, on a form prescribed by~~ 1091  
~~the secretary of state, an itemized a statement, made under~~ 1092  
~~penalty of election falsification, showing in detail the~~ 1093  
~~following:~~ 1094

~~(1) All money or things of value paid, given, promised, or~~ 1095  
~~received for circulating the petitions;~~ 1096

~~(2) All appointments, promotions, or increases in salary,~~ 1097  
~~in positions which were given, promised, or received, or to~~ 1098  
~~obtain which assistance was given, promised, or received as a~~ 1099  
~~consideration for work done in circulating petitions;~~ 1100

~~(3) Full names and addresses, including street, city, and~~ 1101  
~~state, of all persons to whom such payments or promises were~~ 1102  
~~made and of all persons from whom such payments or promises were~~ 1103  
~~received;~~ 1104

~~(4) Full names and addresses, including street, city, and~~ 1105  
~~state, of all persons who contributed anything of value to be~~ 1106  
~~used in circulating the petitions, and the amounts of those~~ 1107  
~~contributions;~~ 1108

~~(5) Time spent and salaries earned while soliciting~~ 1109  
~~signatures to petitions by persons who were regular salaried~~ 1110  
~~employees of some person or whom that employer authorized to~~ 1111  
~~solicit as part of their regular duties.~~ 1112

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~~If that the committee received no money or things of~~ 1113  
~~value were paid or received or if no promises were made or~~ 1114  
~~received as a consideration for work done in circulating a~~ 1115  
~~petition, the statement shall contain words to that effect~~ 1116  
~~contributions and made no expenditures for the purpose of~~ 1117  
~~achieving the successful circulation of the petition.~~ 1118

~~(C) The treasurer designated under division (A) of this~~ 1119  
~~section shall file statements of contributions and expenditures~~ 1120  
~~in accordance with section 3517.10 of the Revised Code regarding~~ 1121  
~~all contributions made or received and all expenditures made by~~ 1122  
~~that treasurer or the circulator or committee in connection with~~ 1123  
~~the initiative or referendum petition, or supplementary petition~~ 1124  
~~for additional signatures, for the submission of a~~ 1125  
~~constitutional amendment, proposed law, section, or item of any~~ 1126  
~~law.~~ 1127

**Sec. 3517.13.** (A) (1) No campaign committee of a statewide 1128  
candidate shall fail to file a complete and accurate statement 1129  
required under division (A) (1) of section 3517.10 of the Revised 1130  
Code. 1131

(2) No campaign committee of a statewide candidate shall 1132  
fail to file a complete and accurate monthly statement, and no 1133  
campaign committee of a statewide candidate or a candidate for 1134  
the office of chief justice or justice of the supreme court 1135  
shall fail to file a complete and accurate two-business-day 1136  
statement, as required under section 3517.10 of the Revised 1137  
Code. 1138

As used in this division, "statewide candidate" has the 1139  
same meaning as in division (F) (2) of section 3517.10 of the 1140  
Revised Code. 1141

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(B) No campaign committee shall fail to file a complete 1142  
and accurate statement required under division (A) (1) of section 1143  
3517.10 of the Revised Code. 1144

(C) No campaign committee shall fail to file a complete 1145  
and accurate statement required under division (A) (2) of section 1146  
3517.10 of the Revised Code. 1147

(D) No campaign committee shall fail to file a complete 1148  
and accurate statement required under division (A) (3) or (4) of 1149  
section 3517.10 of the Revised Code. 1150

(E) No person other than a campaign committee shall 1151  
knowingly fail to file a statement required under section 1152  
3517.10 or 3517.107 of the Revised Code. 1153

(F) No person shall make cash contributions to any person 1154  
totaling more than one hundred dollars in each primary, special, 1155  
or general election. 1156

(G) (1) No person shall knowingly conceal or misrepresent 1157  
contributions given or received, expenditures made, or any other 1158  
information required to be reported by a provision in sections 1159  
3517.08 to 3517.13 of the Revised Code. 1160

(2) (a) No person shall make a contribution to a campaign 1161  
committee, political action committee, political contributing 1162  
entity, legislative campaign fund, political party, or person 1163  
making disbursements to pay the direct costs of producing or 1164  
airing electioneering communications in the name of another 1165  
person. 1166

(b) A person does not make a contribution in the name of 1167  
another when either of the following applies: 1168

(i) An individual makes a contribution from a partnership 1169

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or other unincorporated business account, if the contribution is 1170  
reported by listing both the name of the partnership or other 1171  
unincorporated business and the name of the partner or owner 1172  
making the contribution as required under division (I) of 1173  
section 3517.10 of the Revised Code. 1174

(ii) A person makes a contribution in that person's 1175  
spouse's name or in both of their names. 1176

(H) No person within this state, publishing a newspaper or 1177  
other periodical, shall charge a campaign committee for 1178  
political advertising a rate in excess of the rate such person 1179  
would charge if the campaign committee were a general rate 1180  
advertiser whose advertising was directed to promoting its 1181  
business within the same area as that encompassed by the 1182  
particular office that the candidate of the campaign committee 1183  
is seeking. The rate shall take into account the amount of space 1184  
used, as well as the type of advertising copy submitted by or on 1185  
behalf of the campaign committee. All discount privileges 1186  
otherwise offered by a newspaper or periodical to general rate 1187  
advertisers shall be available upon equal terms to all campaign 1188  
committees. 1189

No person within this state, operating a radio or 1190  
television station or network of stations in this state, shall 1191  
charge a campaign committee for political broadcasts a rate that 1192  
exceeds: 1193

(1) During the forty-five days preceding the date of a 1194  
primary election and during the sixty days preceding the date of 1195  
a general or special election in which the candidate of the 1196  
campaign committee is seeking office, the lowest unit charge of 1197  
the station for the same class and amount of time for the same 1198  
period; 1199

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(2) At any other time, the charges made for comparable use 1200  
of that station by its other users. 1201

(I) Subject to divisions (K), (L), (M), and (N) of this 1202  
section, no agency or department of this state or any political 1203  
subdivision shall award any contract, other than one let by 1204  
competitive bidding or a contract incidental to such contract or 1205  
which is by force account, for the purchase of goods costing 1206  
more than five hundred dollars or services costing more than 1207  
five hundred dollars to any individual, partnership, 1208  
association, including, without limitation, a professional 1209  
association organized under Chapter 1785. of the Revised Code, 1210  
estate, or trust if the individual has made or the individual's 1211  
spouse has made, or any partner, shareholder, administrator, 1212  
executor, or trustee or the spouse of any of them has made, as 1213  
an individual, within the two previous calendar years, one or 1214  
more contributions totaling in excess of one thousand dollars to 1215  
the holder of the public office having ultimate responsibility 1216  
for the award of the contract or to the public officer's 1217  
campaign committee. 1218

(J) Subject to divisions (K), (L), (M), and (N) of this 1219  
section, no agency or department of this state or any political 1220  
subdivision shall award any contract, other than one let by 1221  
competitive bidding or a contract incidental to such contract or 1222  
which is by force account, for the purchase of goods costing 1223  
more than five hundred dollars or services costing more than 1224  
five hundred dollars to a corporation or business trust, except 1225  
a professional association organized under Chapter 1785. of the 1226  
Revised Code, if an owner of more than twenty per cent of the 1227  
corporation or business trust or the spouse of that person has 1228  
made, as an individual, within the two previous calendar years, 1229  
taking into consideration only owners for all of that period, 1230

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one or more contributions totaling in excess of one thousand 1231  
dollars to the holder of a public office having ultimate 1232  
responsibility for the award of the contract or to the public 1233  
officer's campaign committee. 1234

(K) For purposes of divisions (I) and (J) of this section, 1235  
if a public officer who is responsible for the award of a 1236  
contract is appointed by the governor, whether or not the 1237  
appointment is subject to the advice and consent of the senate, 1238  
excluding members of boards, commissions, committees, 1239  
authorities, councils, boards of trustees, task forces, and 1240  
other such entities appointed by the governor, the office of the 1241  
governor is considered to have ultimate responsibility for the 1242  
award of the contract. 1243

(L) For purposes of divisions (I) and (J) of this section, 1244  
if a public officer who is responsible for the award of a 1245  
contract is appointed by the elected chief executive officer of 1246  
a municipal corporation, or appointed by the elected chief 1247  
executive officer of a county operating under an alternative 1248  
form of county government or county charter, excluding members 1249  
of boards, commissions, committees, authorities, councils, 1250  
boards of trustees, task forces, and other such entities 1251  
appointed by the chief executive officer, the office of the 1252  
chief executive officer is considered to have ultimate 1253  
responsibility for the award of the contract. 1254

(M) (1) Divisions (I) and (J) of this section do not apply 1255  
to contracts awarded by the board of commissioners of the 1256  
sinking fund, municipal legislative authorities, boards of 1257  
education, boards of county commissioners, boards of township 1258  
trustees, or other boards, commissions, committees, authorities, 1259  
councils, boards of trustees, task forces, and other such 1260

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entities created by law, by the supreme court or courts of 1261  
appeals, by county courts consisting of more than one judge, 1262  
courts of common pleas consisting of more than one judge, or 1263  
municipal courts consisting of more than one judge, or by a 1264  
division of any court if the division consists of more than one 1265  
judge. This division shall apply to the specified entity only if 1266  
the members of the entity act collectively in the award of a 1267  
contract for goods or services. 1268

(2) Divisions (I) and (J) of this section do not apply to 1269  
actions of the controlling board. 1270

(N)(1) Divisions (I) and (J) of this section apply to 1271  
contributions made to the holder of a public office having 1272  
ultimate responsibility for the award of a contract, or to the 1273  
public officer's campaign committee, during the time the person 1274  
holds the office and during any time such person was a candidate 1275  
for the office. Those divisions do not apply to contributions 1276  
made to, or to the campaign committee of, a candidate for or 1277  
holder of the office other than the holder of the office at the 1278  
time of the award of the contract. 1279

(2) Divisions (I) and (J) of this section do not apply to 1280  
contributions of a partner, shareholder, administrator, 1281  
executor, trustee, or owner of more than twenty per cent of a 1282  
corporation or business trust made before the person held any of 1283  
those positions or after the person ceased to hold any of those 1284  
positions in the partnership, association, estate, trust, 1285  
corporation, or business trust whose eligibility to be awarded a 1286  
contract is being determined, nor to contributions of the 1287  
person's spouse made before the person held any of those 1288  
positions, after the person ceased to hold any of those 1289  
positions, before the two were married, after the granting of a 1290

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decree of divorce, dissolution of marriage, or annulment, or 1291  
after the granting of an order in an action brought solely for 1292  
legal separation. Those divisions do not apply to contributions 1293  
of the spouse of an individual whose eligibility to be awarded a 1294  
contract is being determined made before the two were married, 1295  
after the granting of a decree of divorce, dissolution of 1296  
marriage, or annulment, or after the granting of an order in an 1297  
action brought solely for legal separation. 1298

(0) No beneficiary of a campaign fund or other person 1299  
shall convert for personal use, and no person shall knowingly 1300  
give to a beneficiary of a campaign fund or any other person, 1301  
for the beneficiary's or any other person's personal use, 1302  
anything of value from the beneficiary's campaign fund, 1303  
including, without limitation, payments to a beneficiary for 1304  
services the beneficiary personally performs, except as 1305  
reimbursement for any of the following: 1306

(1) Legitimate and verifiable prior campaign expenses 1307  
incurred by the beneficiary; 1308

(2) Legitimate and verifiable ordinary and necessary prior 1309  
expenses incurred by the beneficiary in connection with duties 1310  
as the holder of a public office, including, without limitation, 1311  
expenses incurred through participation in nonpartisan or 1312  
bipartisan events if the participation of the holder of a public 1313  
office would normally be expected; 1314

(3) Legitimate and verifiable ordinary and necessary prior 1315  
expenses incurred by the beneficiary while doing any of the 1316  
following: 1317

(a) Engaging in activities in support of or opposition to 1318  
a candidate other than the beneficiary, political party, or 1319



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ballot issue; 1320

(b) Raising funds for a political party, political action 1321  
 committee, political contributing entity, legislative campaign 1322  
 fund, campaign committee, or other candidate; 1323

(c) Participating in the activities of a political party, 1324  
 political action committee, political contributing entity, 1325  
 legislative campaign fund, or campaign committee; 1326

(d) Attending a political party convention or other 1327  
 political meeting. 1328

For purposes of this division, an expense is incurred 1329  
 whenever a beneficiary has either made payment or is obligated 1330  
 to make payment, as by the use of a credit card or other credit 1331  
 procedure or by the use of goods or services received on 1332  
 account. 1333

(P) No beneficiary of a campaign fund shall knowingly 1334  
 accept, and no person shall knowingly give to the beneficiary of 1335  
 a campaign fund, reimbursement for an expense under division (O) 1336  
 of this section to the extent that the expense previously was 1337  
 reimbursed or paid from another source of funds. If an expense 1338  
 is reimbursed under division (O) of this section and is later 1339  
 paid or reimbursed, wholly or in part, from another source of 1340  
 funds, the beneficiary shall repay the reimbursement received 1341  
 under division (O) of this section to the extent of the payment 1342  
 made or reimbursement received from the other source. 1343

(Q) No candidate or public official or employee shall 1344  
 accept for personal or business use anything of value from a 1345  
 political party, political action committee, political 1346  
 contributing entity, legislative campaign fund, or campaign 1347  
 committee other than the candidate's or public official's or 1348

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employee's own campaign committee, and no person shall knowingly 1349  
give to a candidate or public official or employee anything of 1350  
value from a political party, political action committee, 1351  
political contributing entity, legislative campaign fund, or 1352  
such a campaign committee, except for the following: 1353

(1) Reimbursement for legitimate and verifiable ordinary 1354  
and necessary prior expenses not otherwise prohibited by law 1355  
incurred by the candidate or public official or employee while 1356  
engaged in any legitimate activity of the political party, 1357  
political action committee, political contributing entity, 1358  
legislative campaign fund, or such campaign committee. Without 1359  
limitation, reimbursable expenses under this division include 1360  
those incurred while doing any of the following: 1361

(a) Engaging in activities in support of or opposition to 1362  
another candidate, political party, or ballot issue; 1363

(b) Raising funds for a political party, legislative 1364  
campaign fund, campaign committee, or another candidate; 1365

(c) Attending a political party convention or other 1366  
political meeting. 1367

(2) Compensation not otherwise prohibited by law for 1368  
actual and valuable personal services rendered under a written 1369  
contract to the political party, political action committee, 1370  
political contributing entity, legislative campaign fund, or 1371  
such campaign committee for any legitimate activity of the 1372  
political party, political action committee, political 1373  
contributing entity, legislative campaign fund, or such campaign 1374  
committee. 1375

Reimbursable expenses under this division do not include, 1376  
and it is a violation of this division for a candidate or public 1377

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official or employee to accept, or for any person to knowingly 1378  
give to a candidate or public official or employee from a 1379  
political party, political action committee, political 1380  
contributing entity, legislative campaign fund, or campaign 1381  
committee other than the candidate's or public official's or 1382  
employee's own campaign committee, anything of value for 1383  
activities primarily related to the candidate's or public 1384  
official's or employee's own campaign for election, except for 1385  
contributions to the candidate's or public official's or 1386  
employee's campaign committee. 1387

For purposes of this division, an expense is incurred 1388  
whenever a candidate or public official or employee has either 1389  
made payment or is obligated to make payment, as by the use of a 1390  
credit card or other credit procedure, or by the use of goods or 1391  
services on account. 1392

(R) (1) Division (O) or (P) of this section does not 1393  
prohibit a campaign committee from making direct advance or post 1394  
payment from contributions to vendors for goods and services for 1395  
which reimbursement is permitted under division (O) of this 1396  
section, except that no campaign committee shall pay its 1397  
candidate or other beneficiary for services personally performed 1398  
by the candidate or other beneficiary. 1399

(2) If any expense that may be reimbursed under division 1400  
(O), (P), or (Q) of this section is part of other expenses that 1401  
may not be paid or reimbursed, the separation of the two types 1402  
of expenses for the purpose of allocating for payment or 1403  
reimbursement those expenses that may be paid or reimbursed may 1404  
be by any reasonable accounting method, considering all of the 1405  
surrounding circumstances. 1406

(3) For purposes of divisions (O), (P), and (Q) of this 1407

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section, mileage allowance at a rate not greater than that 1408  
allowed by the internal revenue service at the time the travel 1409  
occurs may be paid instead of reimbursement for actual travel 1410  
expenses allowable. 1411

(4) For purposes of divisions (O), (P), and (Q) of this 1412  
section, the reasonable cost of child care rendered in this 1413  
state is considered an ordinary and necessary expense incurred 1414  
by a beneficiary while engaging in the activities and duties 1415  
described in those divisions, so long as all of the following 1416  
apply: 1417

(a) The cost is incurred only as a direct result of the 1418  
beneficiary engaging in those activities and duties and would 1419  
not otherwise be incurred. 1420

(b) The beneficiary is a primary caregiver of the child. 1421

(c) The child is twelve years of age or younger. 1422

(S) (1) As used in division (S) of this section: 1423

(a) "State elective office" has the same meaning as in 1424  
section 3517.092 of the Revised Code. 1425

(b) "Federal office" means a federal office as defined in 1426  
the Federal Election Campaign Act. 1427

(c) "Federal campaign committee" means a principal 1428  
campaign committee or authorized committee as defined in the 1429  
Federal Election Campaign Act. 1430

(2) No person who is a candidate for state elective office 1431  
and who previously sought nomination or election to a federal 1432  
office shall transfer any funds or assets from that person's 1433  
federal campaign committee for nomination or election to the 1434  
federal office to that person's campaign committee as a 1435

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candidate for state elective office. 1436

(3) No campaign committee of a person who is a candidate 1437  
 for state elective office and who previously sought nomination 1438  
 or election to a federal office shall accept any funds or assets 1439  
 from that person's federal campaign committee for that person's 1440  
 nomination or election to the federal office. 1441

(T) (1) Except as otherwise provided in division (B) (6) (c) 1442  
 of section 3517.102 of the Revised Code, a state or county 1443  
 political party shall not disburse moneys from any account other 1444  
 than a state candidate fund to make contributions to any of the 1445  
 following: 1446

(a) A state candidate fund; 1447

(b) A legislative campaign fund; 1448

(c) A campaign committee of a candidate for the office of 1449  
 governor, lieutenant governor, secretary of state, auditor of 1450  
 state, treasurer of state, attorney general, member of the state 1451  
 board of education, or member of the general assembly. 1452

(2) No state candidate fund, legislative campaign fund, or 1453  
 campaign committee of a candidate for any office described in 1454  
 division (T) (1) (c) of this section shall knowingly accept a 1455  
 contribution in violation of division (T) (1) of this section. 1456

(U) No person shall fail to file a statement required 1457  
 under section 3517.12 of the Revised Code. 1458

(V) No campaign committee shall fail to file a statement 1459  
 required under division (K) (3) of section 3517.10 of the Revised 1460  
 Code. 1461

(W) (1) No foreign national shall, directly or indirectly 1462  
 through any other person or entity, ~~make~~ do any of the 1463

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following:

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(a) Make a contribution, expenditure, or independent  
expenditure or promise, either expressly or implicitly, to make  
a contribution, expenditure, or independent expenditure—  
support of or opposition to a candidate for any elective office—  
in this state, including an office of a political party;

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(b) Solicit another person to make a contribution,  
expenditure, or independent expenditure;

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(c) Make a loan, gift, deposit, forgiveness of  
indebtedness, donation, advance, payment, or transfer of funds  
to another person with a designation, instruction, or  
encumbrance that the foreign national knows will result in any  
part of the loan, gift, deposit, forgiveness of indebtedness,  
donation, advance, payment, or transfer of funds being used to  
make a contribution, expenditure, or independent expenditure. As  
used in this division, "designation, instruction, or  
encumbrance" includes any designation, instruction, or  
encumbrance that is direct or indirect, express or implied, oral  
or written, or involving an intermediary or conduit.

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(2) No candidate, campaign committee, political action  
committee, political contributing entity, legislative campaign  
fund, state candidate fund, political party, or separate  
segregated fund, continuing association, corporation, or labor  
organization shall do either of the following:

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(a) Knowingly transfer funds, or accept a transfer of  
funds, directly or indirectly into an account from which the  
person makes contributions or expenditures from an account that  
is controlled by the person or by the person's affiliate and  
that, at any time, has contained funds received directly or

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indirectly from a foreign national. For purposes of this 1493  
division, a person is affiliated with another person if they are 1494  
both established, financed, maintained, or controlled by, or if 1495  
they are, the same corporation, organization, labor 1496  
organization, or other person, including any parent, subsidiary, 1497  
division, or department of that corporation, organization, labor 1498  
organization, or other person. 1499

(b) Otherwise knowingly solicit or accept a contribution, 1500  
expenditure, or independent expenditure, directly or indirectly 1501  
through another person or entity, from a foreign national. The 1502  
~~secretary of state may direct any candidate, committee, entity,~~ 1503  
~~fund, or party that accepts a contribution, expenditure, or~~ 1504  
~~independent expenditure in violation of this division to return~~ 1505  
~~the contribution, expenditure, or independent expenditure or, if~~ 1506  
~~it is not possible to return the contribution, expenditure, or~~ 1507  
~~independent expenditure, then to return instead the value of it,~~ 1508  
~~to the contributor.~~ 1509

(3) No person shall knowingly aid or facilitate a 1510  
violation of division (W) (1) or (2) of this section. 1511

(4) As used in division (W) of this section, "foreign 1512  
~~national" has the same meaning as in section 441e(b) of the~~ 1513  
~~Federal Election Campaign Act~~ means any of the following, as 1514  
applicable: 1515

(a) In the case of an individual, an individual who is not 1516  
a United States citizen or national; 1517

(b) A government of a foreign country or of a political 1518  
subdivision of a foreign country; 1519

(c) A foreign political party; 1520

(d) A person, other than an individual, that is organized 1521

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under the laws of, or has its principal place of business in, a 1522  
foreign country. 1523

(X) (1) No state or county political party shall transfer 1524  
any moneys from its restricted fund to any account of the 1525  
political party into which contributions may be made or from 1526  
which contributions or expenditures may be made. 1527

(2) (a) No state or county political party shall deposit a 1528  
contribution or contributions that it receives into its 1529  
restricted fund. 1530

(b) No state or county political party shall make a 1531  
contribution or an expenditure from its restricted fund. 1532

(3) (a) No corporation or labor organization shall make a 1533  
gift or gifts from the corporation's or labor organization's 1534  
money or property aggregating more than ten thousand dollars to 1535  
any one state or county political party for the party's 1536  
restricted fund in a calendar year. 1537

(b) No state or county political party shall accept a gift 1538  
or gifts for the party's restricted fund aggregating more than 1539  
ten thousand dollars from any one corporation or labor 1540  
organization in a calendar year. 1541

(4) No state or county political party shall transfer any 1542  
moneys in the party's restricted fund to any other state or 1543  
county political party. 1544

(5) No state or county political party shall knowingly 1545  
fail to file a statement required under section 3517.1012 of the 1546  
Revised Code. 1547

(Y) The administrator of workers' compensation and the 1548  
employees of the bureau of workers' compensation shall not 1549



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conduct any business with or award any contract, other than one 1550  
 awarded by competitive bidding, for the purchase of goods 1551  
 costing more than five hundred dollars or services costing more 1552  
 than five hundred dollars to any individual, partnership, 1553  
 association, including, without limitation, a professional 1554  
 association organized under Chapter 1785. of the Revised Code, 1555  
 estate, or trust, if the individual has made, or the 1556  
 individual's spouse has made, or any partner, shareholder, 1557  
 administrator, executor, or trustee, or the spouses of any of 1558  
 those individuals has made, as an individual, within the two 1559  
 previous calendar years, one or more contributions totaling in 1560  
 excess of one thousand dollars to the campaign committee of the 1561  
 governor or lieutenant governor or to the campaign committee of 1562  
 any candidate for the office of governor or lieutenant governor. 1563

(Z) The administrator of workers' compensation and the 1564  
 employees of the bureau of workers' compensation shall not 1565  
 conduct business with or award any contract, other than one 1566  
 awarded by competitive bidding, for the purchase of goods 1567  
 costing more than five hundred dollars or services costing more 1568  
 than five hundred dollars to a corporation or business trust, 1569  
 except a professional association organized under Chapter 1785. 1570  
 of the Revised Code, if an owner of more than twenty per cent of 1571  
 the corporation or business trust, or the spouse of the owner, 1572  
 has made, as an individual, within the two previous calendar 1573  
 years, taking into consideration only owners for all of such 1574  
 period, one or more contributions totaling in excess of one 1575  
 thousand dollars to the campaign committee of the governor or 1576  
 lieutenant governor or to the campaign committee of any 1577  
 candidate for the office of governor or lieutenant governor. 1578

**Sec. 3517.155.** (A) (1) Except as otherwise provided in 1579  
 division (B) of this section, the Ohio elections commission 1580

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shall hold its first hearing on a complaint filed with it, other 1581  
 than a complaint that receives an expedited hearing under 1582  
 section 3517.156 of the Revised Code, not later than ninety 1583  
 business days after the complaint is filed unless the commission 1584  
 has good cause to hold the hearing after that time, in which 1585  
 case it shall hold the hearing not later than one hundred eighty 1586  
 business days after the complaint is filed. At the hearing, the 1587  
 commission shall determine whether or not the failure to act or 1588  
 the violation alleged in the complaint has occurred and shall do 1589  
 only one of the following, except as otherwise provided in 1590  
~~division (B) of this section or in division (B) of section~~ 1591  
 3517.151 of the Revised Code: 1592

(a) Enter a finding that good cause has been shown not to 1593  
 impose a fine or not to refer the matter to the appropriate 1594  
 prosecutor; 1595

(b) Impose a fine under section 3517.993 of the Revised 1596  
 Code; 1597

(c) Refer the matter to the appropriate prosecutor~~+~~. 1598

(2) As used in division (A) of this section, "appropriate 1599  
 prosecutor" means ~~a prosecutor as defined in section 2935.01 of~~ 1600  
~~the Revised Code and either of the following:~~ 1601

(a) In the case of a failure to comply with or a violation 1602  
 of law involving a campaign committee or the committee's 1603  
 candidate, a political party, a legislative campaign fund, a 1604  
 political action committee, or a political contributing entity, 1605  
 that is required to file a statement of contributions and 1606  
 expenditures with the secretary of state under division (A) of 1607  
 section 3517.11 of the Revised Code, ~~the prosecutor of Franklin~~ 1608  
county attorney general, except that if the attorney general is 1609

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a victim or witness or otherwise involved in the matter, 1610  
"appropriate prosecutor" means a county prosecutor whom the 1611  
commission deems appropriate to prosecute the matter; 1612

(b) In the case of a failure to comply with or a violation 1613  
of law involving any other campaign committee or committee's 1614  
candidate, or any other political party, political action 1615  
committee, or political contributing entity, either of the 1616  
following as determined by the commission: 1617

(i) The prosecutor of Franklin county attorney general, 1618  
except that if the attorney general is a victim or witness or 1619  
otherwise involved in the matter, the commission shall refer the 1620  
matter to the prosecutor described in division (A) (2) (b) (ii) of 1621  
this section; 1622

(ii) The prosecutor of the county in which the candidacy 1623  
or ballot question or issue is submitted to the electors or, if 1624  
it is submitted in more than one county, the most populous of 1625  
those counties, except that if that prosecutor is a victim or 1626  
witness or otherwise involved in the matter, the commission 1627  
shall refer the matter to the attorney general. 1628

(3) When the commission refers a matter to the attorney 1629  
general under this section, or when a matter is transferred to 1630  
the attorney general under division (D) (3) (b) of this section, 1631  
the attorney general may prosecute the matter with all the 1632  
rights, privileges, and powers conferred by law on prosecuting 1633  
attorneys, including the power to appear before grand juries and 1634  
to interrogate witnesses before such grand juries. These powers 1635  
of the attorney general are in addition to any other applicable 1636  
powers of the attorney general. 1637

(B) If the commission decides that the evidence is 1638

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insufficient for it to determine whether or not the failure to 1639  
act or the violation alleged in the complaint has occurred, the 1640  
commission, by the affirmative vote of five members, may request 1641  
that an investigatory attorney investigate the complaint. Upon 1642  
that request, an investigatory attorney shall make an 1643  
investigation in order to produce sufficient evidence for the 1644  
commission to decide the matter. If the commission requests an 1645  
investigation under this division, for good cause shown by the 1646  
investigatory attorney, the commission may extend by sixty days 1647  
the deadline for holding its first hearing on the complaint as 1648  
required in division (A) of this section. 1649

(C) The commission shall take one of the actions required 1650  
under division (A) of this section not later than thirty days 1651  
after the close of all the evidence presented. 1652

(D) (1) The commission shall make any finding of a failure 1653  
to comply with or a violation of law in regard to a complaint 1654  
that alleges a violation of division (A) or (B) of section 1655  
3517.21, or division (A) or (B) of section 3517.22 of the 1656  
Revised Code by clear and convincing evidence. The commission 1657  
shall make any finding of a failure to comply with or a 1658  
violation of law in regard to any other complaint by a 1659  
preponderance of the evidence. 1660

(2) If the commission finds a violation of division (B) of 1661  
section 3517.21 or division (B) of section 3517.22 of the 1662  
Revised Code, it shall refer the matter to the appropriate 1663  
prosecutor under division (A) (1) (c) of this section and shall 1664  
not impose a fine under division (A) (1) (b) of this section or 1665  
section 3517.993 of the Revised Code. 1666

(3) (a) If the commission finds a violation of division (W) 1667  
of section 3517.13 of the Revised Code, it shall do one of the 1668

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following:

(i) Impose a fine under section 3517.993 of the Revised Code in an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater, with none of the fine suspended and, in the case of a violation of division (W) (2) of section 3517.13 of the Revised Code, order the violator to return an amount equal to any amount accepted in violation of that division to the foreign national from whom it was accepted;

(ii) Refer the matter to the appropriate prosecutor.

(b) (i) Except as otherwise provided in division (D) (3) (b) (ii) of this section, if the commission finds a violation of division (W) of section 3517.13 of the Revised Code and refers the matter to a county prosecutor under division (A) (2) (b) (ii) of this section, the attorney general may transfer the matter to the attorney general for prosecution upon the request of the prosecutor to whom the commission refers the matter or upon the attorney general's own initiative.

(ii) Division (D) (3) (b) (i) of this section does not apply to any matter in which the attorney general is a victim or witness or is otherwise involved.

(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A) (1) (a) of this section or a panel of the commission takes the action described in division (C) (1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the

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complainant to pay reasonable attorney's fees and to pay the 1698  
costs of the commission or panel as determined by a majority of 1699  
the members of the commission. The costs paid to the commission 1700  
or panel under this division shall be deposited into the Ohio 1701  
elections commission fund. 1702

**Sec. 3517.992.** This section establishes penalties only 1703  
with respect to acts or failures to act that occur on and after 1704  
August 24, 1995. 1705

(A) (1) A candidate whose campaign committee violates 1706  
division (A), (B), (C), (D), or (V) of section 3517.13 of the 1707  
Revised Code, or a treasurer of a campaign committee who 1708  
violates any of those divisions, shall be fined not more than 1709  
one hundred dollars for each day of violation. 1710

(2) Whoever violates division (E) or (X) (5) of section 1711  
3517.13 or division (E) (1) of section 3517.1014 of the Revised 1712  
Code shall be fined not more than one hundred dollars for each 1713  
day of violation. 1714

(B) An entity that violates division (G) (1) of section 1715  
3517.101 of the Revised Code shall be fined not more than one 1716  
hundred dollars for each day of violation. 1717

(C) Whoever violates division (G) (2) of section 3517.101, 1718  
division (G) of section 3517.13, or division (E) (2) or (3) of 1719  
section 3517.1014 of the Revised Code shall be fined not more 1720  
than ten thousand dollars or, if the offender is a person who 1721  
was nominated or elected to public office, shall forfeit the 1722  
nomination or the office to which the offender was elected, or 1723  
both. 1724

(D) Whoever violates division (F) of section 3517.13 of 1725  
the Revised Code shall be fined not more than three times the 1726

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amount contributed. 1727

(E) Whoever violates division (H) of section 3517.13 of 1728  
the Revised Code shall be fined not more than one hundred 1729  
dollars. 1730

(F) Whoever violates division (O), (P), or (Q) of section 1731  
3517.13 of the Revised Code is guilty of a misdemeanor of the 1732  
first degree. 1733

(G) A state or county committee of a political party that 1734  
violates division (B) (1) of section 3517.18 of the Revised Code 1735  
as that section existed before its repeal by H.B. 166 of the 1736  
133rd general assembly shall be fined not more than twice the 1737  
amount of the improper expenditure. 1738

(H) An entity that violates division (H) of section 1739  
3517.101 of the Revised Code shall be fined not more than twice 1740  
the amount of the improper expenditure or use. 1741

(I) (1) Any individual who violates division (B) (1) of 1742  
section 3517.102 of the Revised Code and knows that the 1743  
contribution the individual makes violates that division shall 1744  
be fined an amount equal to three times the amount contributed 1745  
in excess of the amount permitted by that division. 1746

(2) Any political action committee that violates division 1747  
(B) (2) of section 3517.102 of the Revised Code shall be fined an 1748  
amount equal to three times the amount contributed in excess of 1749  
the amount permitted by that division. 1750

(3) Any campaign committee that violates division (B) (3) 1751  
or (5) of section 3517.102 of the Revised Code shall be fined an 1752  
amount equal to three times the amount contributed in excess of 1753  
the amount permitted by that division. 1754

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(4) (a) Any legislative campaign fund that violates 1755  
division (B) (6) of section 3517.102 of the Revised Code shall be 1756  
fined an amount equal to three times the amount transferred or 1757  
contributed in excess of the amount permitted by that division, 1758  
as applicable. 1759

(b) Any state political party, county political party, or 1760  
state candidate fund of a state political party or county 1761  
political party that violates division (B) (6) of section 1762  
3517.102 of the Revised Code shall be fined an amount equal to 1763  
three times the amount transferred or contributed in excess of 1764  
the amount permitted by that division, as applicable. 1765

(c) Any political contributing entity that violates 1766  
division (B) (7) of section 3517.102 of the Revised Code shall be 1767  
fined an amount equal to three times the amount contributed in 1768  
excess of the amount permitted by that division. 1769

(5) Any political party that violates division (B) (4) of 1770  
section 3517.102 of the Revised Code shall be fined an amount 1771  
equal to three times the amount contributed in excess of the 1772  
amount permitted by that division. 1773

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 1774  
(5) of this section, no violation of division (B) of section 1775  
3517.102 of the Revised Code occurs, and the secretary of state 1776  
shall not refer parties to the Ohio elections commission, if the 1777  
amount transferred or contributed in excess of the amount 1778  
permitted by that division meets either of the following 1779  
conditions: 1780

(a) It is completely refunded within five business days 1781  
after it is accepted. 1782

(b) It is completely refunded on or before the tenth 1783



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business day after notification to the recipient of the excess 1784  
transfer or contribution by the board of elections or the 1785  
secretary of state that a transfer or contribution in excess of 1786  
the permitted amount has been received. 1787

(J) (1) Any campaign committee that violates division (C) 1788  
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 1789  
shall be fined an amount equal to three times the amount 1790  
accepted in excess of the amount permitted by that division. 1791

(2) (a) Any county political party that violates division 1792  
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 1793  
shall be fined an amount equal to three times the amount 1794  
accepted. 1795

(b) Any county political party that violates division (C) 1796  
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 1797  
an amount from its state candidate fund equal to three times the 1798  
amount accepted in excess of the amount permitted by that 1799  
division. 1800

(c) Any state political party that violates division (C) 1801  
(4) (b) of section 3517.102 of the Revised Code shall be fined an 1802  
amount from its state candidate fund equal to three times the 1803  
amount accepted in excess of the amount permitted by that 1804  
division. 1805

(3) Any legislative campaign fund that violates division 1806  
(C) (5) of section 3517.102 of the Revised Code shall be fined an 1807  
amount equal to three times the amount accepted in excess of the 1808  
amount permitted by that division. 1809

(4) Any political action committee or political 1810  
contributing entity that violates division (C) (7) of section 1811  
3517.102 of the Revised Code shall be fined an amount equal to 1812

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three times the amount accepted in excess of the amount 1813  
 permitted by that division. 1814

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 1815  
 this section, no violation of division (C) of section 3517.102 1816  
 of the Revised Code occurs, and the secretary of state shall not 1817  
 refer parties to the Ohio elections commission, if the amount 1818  
 transferred or contributed in excess of the amount permitted to 1819  
 be accepted by that division meets either of the following 1820  
 conditions: 1821

(a) It is completely refunded within five business days 1822  
 after its acceptance. 1823

(b) It is completely refunded on or before the tenth 1824  
 business day after notification to the recipient of the excess 1825  
 transfer or contribution by the board of elections or the 1826  
 secretary of state that a transfer or contribution in excess of 1827  
 the permitted amount has been received. 1828

(K) (1) Any legislative campaign fund that violates 1829  
 division (F) (1) of section 3517.102 of the Revised Code shall be 1830  
 fined twenty-five dollars for each day of violation. 1831

(2) Any legislative campaign fund that violates division 1832  
 (F) (2) of section 3517.102 of the Revised Code shall give to the 1833  
 treasurer of state for deposit into the state treasury to the 1834  
 credit of the Ohio elections commission fund all excess 1835  
 contributions not disposed of as required by division (E) of 1836  
 section 3517.102 of the Revised Code. 1837

(L) Whoever violates section 3517.105 of the Revised Code 1838  
 shall be fined one thousand dollars. 1839

(M) (1) Whoever solicits a contribution in violation of 1840  
 section 3517.092 or violates division (B) of section 3517.09 of 1841

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the Revised Code is guilty of a misdemeanor of the first degree. 1842

(2) Whoever knowingly accepts a contribution in violation 1843  
of division (B) or (C) of section 3517.092 of the Revised Code 1844  
shall be fined an amount equal to three times the amount 1845  
accepted in violation of either of those divisions and shall 1846  
return to the contributor any amount so accepted. Whoever 1847  
unknowingly accepts a contribution in violation of division (B) 1848  
or (C) of section 3517.092 of the Revised Code shall return to 1849  
the contributor any amount so accepted. 1850

(N) Whoever violates division (S) of section 3517.13 of 1851  
the Revised Code shall be fined an amount equal to three times 1852  
the amount of funds transferred or three times the value of the 1853  
assets transferred in violation of that division. 1854

(O) Any campaign committee that accepts a contribution or 1855  
contributions in violation of section 3517.108 of the Revised 1856  
Code, uses a contribution in violation of that section, or fails 1857  
to dispose of excess contributions in violation of that section 1858  
shall be fined an amount equal to three times the amount 1859  
accepted, used, or kept in violation of that section. 1860

(P) Any political party, state candidate fund, legislative 1861  
candidate fund, or campaign committee that violates division (T) 1862  
of section 3517.13 of the Revised Code shall be fined an amount 1863  
equal to three times the amount contributed or accepted in 1864  
violation of that section. 1865

(Q) A treasurer of a committee or another person who 1866  
violates division (U) of section 3517.13 of the Revised Code 1867  
shall be fined not more than two hundred fifty dollars. 1868

(R) Whoever violates division (I) or (J) of section 1869  
3517.13 of the Revised Code shall be fined not more than one 1870

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thousand dollars. Whenever a person is found guilty of violating 1871  
division (I) or (J) of section 3517.13 of the Revised Code, the 1872  
contract awarded in violation of either of those divisions shall 1873  
be rescinded if its terms have not yet been performed. 1874

(S) A candidate whose campaign committee violates or a 1875  
treasurer of a campaign committee who violates section 3517.081 1876  
of the Revised Code, and a candidate whose campaign committee 1877  
violates or a treasurer of a campaign committee or another 1878  
person who violates division (C) of section 3517.10 of the 1879  
Revised Code, shall be fined not more than five hundred dollars. 1880

(T) A candidate whose campaign committee violates or a 1881  
treasurer of a committee who violates division (B) of section 1882  
3517.09 of the Revised Code, or a candidate whose campaign 1883  
committee violates or a treasurer of a campaign committee or 1884  
another person who violates division (C) of section 3517.09 of 1885  
the Revised Code shall be fined not more than one thousand 1886  
dollars. 1887

(U) Whoever violates section 3517.20 of the Revised Code 1888  
shall be fined not more than five hundred dollars. 1889

(V) Whoever violates section 3517.21 or 3517.22 of the 1890  
Revised Code shall be imprisoned for not more than six months or 1891  
fined not more than five thousand dollars, or both. 1892

(W) A campaign committee that is required to file a 1893  
declaration of no limits under division (D) (2) of section 1894  
3517.103 of the Revised Code that, before filing that 1895  
declaration, accepts a contribution or contributions that exceed 1896  
the limitations prescribed in section 3517.102 of the Revised 1897  
Code, shall return that contribution or those contributions to 1898  
the contributor. 1899

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(X) Any campaign committee that fails to file the 1900  
 declaration of filing-day finances required by division (F) of 1901  
 section 3517.109 of the Revised Code shall be fined twenty-five 1902  
 dollars for each day of violation. 1903

(Y) (1) Any campaign committee that fails to dispose of 1904  
 excess funds or excess aggregate contributions under division 1905  
 (B) of section 3517.109 of the Revised Code in the manner 1906  
 required by division (C) of that section shall give to the 1907  
 treasurer of state for deposit into the Ohio elections 1908  
 commission fund created under division (I) of section 3517.152 1909  
 of the Revised Code all funds not disposed of pursuant to that 1910  
 division. 1911

(2) Any treasurer of a transition fund that fails to 1912  
 dispose of assets remaining in the transition fund as required 1913  
 under division (H) (1) or (2) of section 3517.1014 of the Revised 1914  
 Code shall give to the treasurer of state for deposit into the 1915  
 Ohio elections commission fund all assets not disposed of 1916  
 pursuant to that division. 1917

(Z) Any individual, campaign committee, political action 1918  
 committee, political contributing entity, legislative campaign 1919  
 fund, political party, treasurer of a transition fund, or other 1920  
 entity that violates any provision of sections 3517.09 to 1921  
 3517.12 of the Revised Code for which no penalty is provided for 1922  
 under any other division of this section shall be fined not more 1923  
 than one thousand dollars. 1924

(AA) (1) Whoever knowingly violates division (W) (1) of 1925  
 section 3517.13 of the Revised Code shall be fined an amount 1926  
 equal to three times the amount contributed, expended, or 1927  
 promised in violation of that division or ten thousand dollars, 1928  
 whichever amount is greater. 1929

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(2) Whoever knowingly violates division (W) (2) of section 1930  
 3517.13 of the Revised Code shall be fined an amount equal to 1931  
 three times the amount solicited or accepted in violation of 1932  
 that division or ten thousand dollars, whichever amount is 1933  
 greater, and shall be required to return an amount equal to any 1934  
amount accepted in violation of that division to the foreign 1935  
national from whom it was accepted. 1936

(3) Whoever knowingly violates division (W) (3) of section 1937  
3517.13 of the Revised Code shall be fined an amount equal to 1938  
three times the amount involved in the violation or ten thousand 1939  
dollars, whichever amount is greater. 1940

(BB) Whoever knowingly violates division (C) or (D) of 1941  
 section 3517.1011 of the Revised Code shall be fined not more 1942  
 than ten thousand dollars plus not more than one thousand 1943  
 dollars for each day of violation. 1944

(CC) (1) Subject to division (CC) (2) of this section, 1945  
 whoever violates division (H) of section 3517.1011 of the 1946  
 Revised Code shall be fined an amount up to three times the 1947  
 amount disbursed for the direct costs of airing the 1948  
 communication made in violation of that division. 1949

(2) Whoever has been ordered by the Ohio elections 1950  
 commission or by a court of competent jurisdiction to cease 1951  
 making communications in violation of division (H) of section 1952  
 3517.1011 of the Revised Code who again violates that division 1953  
 shall be fined an amount equal to three times the amount 1954  
 disbursed for the direct costs of airing the communication made 1955  
 in violation of that division. 1956

(DD) (1) Any corporation or labor organization that 1957  
 violates division (X) (3) (a) of section 3517.13 of the Revised 1958

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Code shall be fined an amount equal to three times the amount 1959  
 given in excess of the amount permitted by that division. 1960

(2) Any state or county political party that violates 1961  
 division (X) (3) (b) of section 3517.13 of the Revised Code shall 1962  
 be fined an amount equal to three times the amount accepted in 1963  
 excess of the amount permitted by that division. 1964

(EE) (1) Any campaign committee or person who violates 1965  
 division (C) (1) (b) or (c) of section 3517.1014 of the Revised 1966  
 Code shall be fined an amount equal to three times the amount 1967  
 donated in excess of the amount permitted by that division. 1968

(2) Any officeholder or treasurer of a transition fund who 1969  
 violates division (C) (3) (a) or (b) of section 3517.1014 of the 1970  
 Revised Code shall be fined an amount equal to three times the 1971  
 amount accepted in excess of the amount permitted by that 1972  
 division. 1973

**Section 2.** That existing sections 3517.01, 3517.10, 1974  
 3517.12, 3517.13, 3517.155, and 3517.992 of the Revised Code are 1975  
 hereby repealed. 1976

**Section 3.** (A) Notwithstanding any provision of the 1977  
 Revised Code to the contrary, a major political party shall 1978  
 certify to the Secretary of State in writing the names of its 1979  
 candidates for president and vice-president nominated by its 1980  
 national convention pursuant to section 3505.10 of the Revised 1981  
 Code not later than the seventy-fourth day before the 2024 1982  
 general election. The political party may transmit the 1983  
 certification to the Secretary of State by any reasonably 1984  
 reliable method that, under the circumstances, will provide for 1985  
 the Secretary of State to receive it by the deadline, including 1986  
 by any of the following methods: 1987

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(1) Hand delivery;	1988
(2) Certified, express, or ordinary mail delivery by the United States Postal Service;	1989 1990
(3) Commercial carrier service;	1991
(4) Facsimile transmission;	1992
(5) Electronic mail.	1993
(B) For purposes of this section, "major political party" has the same meaning as in section 3501.01 of the Revised Code.	1994 1995



# **Exhibit D**

**As Passed by the Senate**

**135th General Assembly**

**Regular Session**

**Am. Sub. H. B. No. 305**

**2023-2024**

**Representatives Stewart, Brown**

**Cosponsors: Representatives Baker, Bird, Brewer, Claggett, Click, Dell'Aquila, Galonski, Grim, Gross, Isaacsohn, Jarrells, John, Kick, Klopfenstein, Lampton, LaRe, Lightbody, Lipps, McNally, Miller, A., Miller, J., Miranda, Mohamed, Plummer, Skindell, Somani, Upchurch, Weinstein, Williams, Willis, Young, T., Hillyer, Mathews, Abrams, Barhorst, Brennan, Brent, Creech, Cross, Cutrona, Dobos, Forhan, Fowler Arthur, Hall, Humphrey, Johnson, Jones, Liston, Lorenz, McClain, Miller, K., Miller, M., Oelslager, Patton, Pavliga, Peterson, Robb Blasdel, Russo, Stein, Thomas, C., White, Wiggam**

**Senators Manning, Brenner, Cirino, Gavarone, Hackett, Johnson, Lang, McColley, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Wilkin, Wilson**

**A BILL**

To amend sections 9.03, 120.54, 181.21, 325.33, 1  
345.13, 517.23, 1317.07, 1901.02, 1901.123, 2  
1901.261, 1907.11, 1907.143, 1907.261, 2303.081, 3  
2303.201, 2505.02, 2929.20, 2967.26, 3517.01, 4  
3517.10, 3517.12, 3517.13, 3517.155, 3517.992, 5  
3517.993, 4507.112, 4509.101, and 4517.261; to 6  
enact new section 135.032 and sections 181.26, 7  
1901.313, 1907.202, and 3109.055; and to repeal 8  
sections 135.032 and 135.321 of the Revised Code 9  
to address the laws governing financial and 10  
administrative matters of the courts, judgeships 11  
and court jurisdiction in Conneaut and Ashtabula 12  
County, appeals related to enforcement of state 13  
law, conciliation in family law proceedings, the 14  
use of financial assistance by legal aid 15  
societies, allocation of funds to the Indigent 16

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Support Defense Fund, political subdivision 17  
soldiers' memorials, maintenance of a mausoleum 18  
or columbarium, third-party administration of 19  
driving tests, motor vehicle documentary service 20  
charges, and public depositories; to establish a 21  
standing juvenile committee of the Criminal 22  
Sentencing Commission; to prohibit chartered 23  
counties and municipal corporations from using 24  
public funds for certain purposes; to modify the 25  
Campaign Finance Law; and to reiterate the 26  
effective date of judicial release and 27  
transitional control provisions enacted in S.B. 28  
288 of the 134th General Assembly. 29

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 9.03, 120.54, 181.21, 325.33, 30  
345.13, 517.23, 1317.07, 1901.02, 1901.123, 1901.261, 1907.11, 31  
1907.143, 1907.261, 2303.081, 2303.201, 2505.02, 2929.20, 32  
2967.26, 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, 3517.992, 33  
3517.993, 4507.112, 4509.101, and 4517.261 be amended and new 34  
section 135.032 and sections 181.26, 1901.313, 1907.202, and 35  
3109.055 of the Revised Code be enacted to read as follows: 36

**Sec. 9.03.** (A) As used in this section: 37

(1) "Political subdivision" means any body corporate and 38  
politic, ~~except a municipal corporation that has adopted a~~ 39  
~~charter under Section 7 of Article XVIII, Ohio Constitution, and~~ 40  
~~except a county that has adopted a charter under Sections 3 and~~ 41  
~~4 of Article X, Ohio Constitution,~~ to which both of the 42

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following apply: 43

(a) It is responsible for governmental activities only in 44  
a geographic area smaller than the state. 45

(b) It is subject to the sovereign immunity of the state. 46

(2) "Cigarettes" and "tobacco product" have the same 47  
meanings as in section 5743.01 of the Revised Code. 48

(3) "Transaction" has the same meaning as in section 49  
1315.51 of the Revised Code. 50

(4) "Campaign committee," "campaign fund," "candidate," 51  
"legislative campaign fund," "political action committee," 52  
"political committee," "political party," and "separate 53  
segregated fund" have the same meanings as in section 3517.01 of 54  
the Revised Code. 55

(B) Except as otherwise provided in division (C) of this 56  
section, the governing body of a political subdivision may use 57  
public funds to publish and distribute newsletters, or to use 58  
any other means, to communicate information about the plans, 59  
policies, and operations of the political subdivision to members 60  
of the public within the political subdivision and to other 61  
persons who may be affected by the political subdivision. 62

(C) Except as otherwise provided in division (A) (7) of 63  
section 340.03 of the Revised Code, no governing body of a 64  
political subdivision shall use public funds to do any of the 65  
following: 66

(1) Publish, distribute, or otherwise communicate 67  
information that does any of the following: 68

(a) Contains defamatory, libelous, or obscene matter; 69

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(b) Promotes alcoholic beverages, cigarettes or other	70
tobacco products, or any illegal product, service, or activity;	71
(c) Promotes illegal discrimination on the basis of race,	72
color, religion, national origin, disability, age, or ancestry;	73
(d) Supports or opposes any labor organization or any	74
action by, on behalf of, or against any labor organization;	75
(e) Supports or opposes the nomination or election of a	76
candidate for public office, the investigation, prosecution, or	77
recall of a public official, or the passage of a levy or bond	78
issue.	79
(2) Compensate any employee of the political subdivision	80
for time spent on any activity to influence the outcome of an	81
election for any of the purposes described in division (C) (1) (e)	82
of this section. Division (C) (2) of this section does not	83
prohibit the use of public funds to compensate an employee of a	84
political subdivision for attending a public meeting to present	85
information about the political subdivision's finances,	86
activities, and governmental actions in a manner that is not	87
designed to influence the outcome of an election or the passage	88
of a levy or bond issue, even though the election, levy, or bond	89
issue is discussed or debated at the meeting.	90
(D) Except as otherwise provided in division (A) (7) of	91
section 340.03 of the Revised Code or in division (E) of this	92
section, no person shall knowingly conduct a direct or indirect	93
transaction of public funds to the benefit of any of the	94
following:	95
(1) A campaign committee;	96
(2) A political action committee;	97

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(3) A legislative campaign fund;	98
(4) A political party;	99
(5) A campaign fund;	100
(6) A political committee;	101
(7) A separate segregated fund;	102
(8) A candidate.	103
(E) Division (D) of this section does not prohibit the	104
utilization of any person's own time to speak in support of or	105
in opposition to any candidate, recall, referendum, levy, or	106
bond issue unless prohibited by any other section of the Revised	107
Code.	108
(F) Nothing in this section prohibits or restricts any	109
political subdivision from sponsoring, participating in, or	110
doing any of the following:	111
(1) Charitable or public service advertising that is not	112
commercial in nature;	113
(2) Advertising of exhibitions, performances, programs,	114
products, or services that are provided by employees of a	115
political subdivision or are provided at or through premises	116
owned or operated by a political subdivision;	117
(3) Licensing an interest in a name or mark that is owned	118
or controlled by the political subdivision.	119
(G) Whoever violates division (D) of this section shall be	120
punished as provided in section 3599.40 of the Revised Code.	121
<b>Sec. 120.54.</b> (A) A legal aid society that receives	122
financial assistance from the legal aid fund under section	123
120.53 of the Revised Code shall use the financial assistance	124

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for only the following purposes: 125

(1) To defray the costs of providing legal services to 126  
indigents; 127

(2) To provide legal training and legal technical 128  
assistance to other eligible legal aid societies; and 129

(3) If the legal aid society has entered into an agreement 130  
pursuant to division (H) of section 120.53 of the Revised Code 131  
and in accordance with the description and list of conditions 132  
set forth in its application pursuant to division (B) (9) of that 133  
section, to provide funds for the services, programs, training, 134  
and legal technical assistance provided to the legal aid society 135  
under the contract. 136

(B) No financial assistance received by a legal aid 137  
society from the legal aid fund pursuant to section 120.53 of 138  
the Revised Code shall be used for the provision of legal 139  
services in ~~relation to~~ any criminal case or proceeding or in 140  
~~relation to~~ the provision of legal assistance in any fee 141  
generating case. 142

**Sec. 135.032.** (A) For the purposes of this section: 143

(1) "Institution" means an institution eligible to become 144  
a public depository under section 135.03 or 135.32 of the 145  
Revised Code or an eligible credit union, as defined in section 146  
135.62 of the Revised Code. 147

(2) "Prompt corrective action directive" means a directive 148  
issued by a regulatory authority of the United States as 149  
authorized under 12 U.S.C. 1790d or 1831o. 150

(B) An institution designated as a public depository under 151  
this chapter shall notify each governing board that made such 152

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designation if the institution becomes party to an active prompt 153  
corrective action directive. 154

(C) Except as otherwise provided in division (D) of this 155  
section, an institution is ineligible to become a public 156  
depository under this chapter or to have active, interim, or 157  
inactive deposits awarded, placed, purchased, made, or 158  
designated pursuant to this chapter, if the institution is party 159  
to an active prompt corrective action directive. 160

(D) If a governing board receives notice under division 161  
(B) of this section, or otherwise becomes aware that an 162  
institution the board designated as a public depository is party 163  
to an active prompt corrective action directive, the board may 164  
do either or both of the following, if the board determines that 165  
it is in the public interest: 166

(1) Allow the public depository to continue to have 167  
active, interim, or inactive deposits awarded, placed, 168  
purchased, made, or designated for the remainder of the 169  
designation period; 170

(2) Designate the institution as a public depository for 171  
additional succeeding designation periods. 172

(E) If a governing board determines that one or both of 173  
the actions permitted by division (D) of this section are in the 174  
public interest, and public moneys are lost due to the failure 175  
of the public depository subject to the active prompt correction 176  
directive, all of the following are relieved from any liability 177  
for that loss: 178

(1) The governing board's treasurer and deputy treasurer; 179

(2) An executive director, director, or other person 180  
employed by the governing board, its treasurer, or its deputy 181



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treasurer; 182

(3) Bondspersons and surety of any person described in 183  
divisions (E) (1) and (2) of this section. 184

**Sec. 181.21.** (A) There is hereby created within the 185  
supreme court the state criminal sentencing commission, 186  
consisting of thirty-one members. One member shall be the chief 187  
justice of the supreme court, who shall be the chairperson of 188  
the commission. The following ten members of the commission, no 189  
more than six of whom shall be members of the same political 190  
party, shall be appointed by the chief justice: one judge of a 191  
court of appeals, three judges of courts of common pleas who are 192  
not juvenile court judges, three judges of juvenile courts, and 193  
three judges of municipal courts or county courts. Four members 194  
shall be the superintendent of the state highway patrol, the 195  
state public defender, the director of youth services, and the 196  
director of rehabilitation and correction, or their individual 197  
designees. The following twelve members, no more than seven of 198  
whom shall be members of the same political party, shall be 199  
appointed by the governor after consulting with the appropriate 200  
state associations, if any, that are represented by these 201  
members: one sheriff; two county prosecuting attorneys, at least 202  
one of whom shall be experienced in the prosecution of cases in 203  
juvenile court involving alleged delinquent children, unruly 204  
children, and juvenile traffic offenders; two peace officers of 205  
a municipal corporation or township, at least one of whom shall 206  
be experienced in the investigation of cases involving 207  
juveniles; one former victim of a violation of Title XXIX of the 208  
Revised Code; one attorney whose practice of law primarily 209  
involves the representation of criminal defendants; one member 210  
of the Ohio state bar association; one attorney whose practice 211  
of law primarily involves the representation in juvenile court 212

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of alleged delinquent children, unruly children, and juvenile 213  
traffic offenders; one full-time city prosecuting attorney; one 214  
county commissioner; and one mayor, city manager, or member of a 215  
legislative authority of a municipal corporation. Two members 216  
shall be members of the senate, one appointed by the president 217  
of the senate and one appointed by the minority leader of the 218  
senate. Two members shall be members of the house of 219  
representatives, one appointed by the speaker of the house of 220  
representatives and one appointed by the minority leader of the 221  
house of representatives. 222

The chief justice shall become a member of the commission 223  
on August 22, 1990, and the chief justice's successors in office 224  
shall become members of the commission on the day that they 225  
assume the office of chief justice. The term of office of the 226  
chief justice as a member of the commission shall continue for 227  
as long as that person holds the office of chief justice. The 228  
term of office of the member who is an attorney whose practice 229  
of law primarily involves the representation of criminal 230  
defendants, the term of office of the member who is an attorney 231  
whose practice of law primarily involves the representation in 232  
juvenile court of alleged delinquent children, unruly children, 233  
and juvenile traffic offenders, and the term of office of the 234  
former victim of a violation of Title XXIX of the Revised Code 235  
shall be four years. The term of office of the superintendent of 236  
the state highway patrol, the state public defender, the 237  
director of youth services, and the director of rehabilitation 238  
and correction, or their individual designees, as members of the 239  
commission shall continue for as long as they hold the office of 240  
superintendent of the state highway patrol, state public 241  
defender, director of youth services, or director of 242  
rehabilitation and correction. The term of office of a municipal 243

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corporation or township peace officer as a member of the 244  
commission shall be the lesser of four years or until that 245  
person ceases to be a peace officer of a municipal corporation 246  
or township. Unless the full-time city prosecuting attorney is 247  
an elected official, the term of office of the full-time city 248  
prosecuting attorney shall be the lesser of four years or until 249  
the full-time city prosecuting attorney ceases to be a full-time 250  
city prosecuting attorney. All of the members of the commission 251  
who are elected officials shall serve the lesser of four years 252  
or until the expiration of their term of office. Any vacancy on 253  
the commission shall be filled in the same manner as the 254  
original appointment. 255

When the chief justice and governor make their 256  
appointments to the commission, they shall consider adequate 257  
representation by race and gender. 258

(B) The commission shall select a vice-chairperson and any 259  
other necessary officers and adopt rules to govern its 260  
proceedings. The commission shall meet as necessary at the call 261  
of the chairperson or on the written request of eight or more of 262  
its members. Sixteen members of the commission constitute a 263  
quorum, and the votes of a majority of the quorum present shall 264  
be required to validate any action of the commission. All 265  
business of the commission shall be conducted in public 266  
meetings. 267

The members of the commission shall serve without 268  
compensation, but each member shall be reimbursed for the 269  
member's actual and necessary expenses incurred in the 270  
performance of the member's official duties on the commission. 271  
In the absence of the chairperson, the vice-chairperson shall 272  
perform the duties of the chairperson. 273

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(C) The commission shall establish an office and shall 274  
appoint and fix the compensation of a project director and any 275  
other employees necessary to assist the commission in the 276  
execution of its authority under sections 181.21 to 181.25 of 277  
the Revised Code. The project director shall have a thorough 278  
understanding of the criminal laws of this state and experience 279  
in committee-oriented research. The other employees may include 280  
a research coordinator with experience and training in policy- 281  
oriented research; professional staff employees with backgrounds 282  
in criminal law, criminal justice, political science, or related 283  
fields of expertise; administrative assistants; and secretaries. 284  
The commission also may appoint and fix the compensation of 285  
part-time data collectors, clerical employees, and other 286  
temporary employees as needed to enable the commission to 287  
execute its authority under sections 181.21 to 181.25 of the 288  
Revised Code. 289

(D) (1) The sentencing commission shall establish a 290  
standing juvenile committee. The committee may consist of the 291  
following commission members: 292

(a) The chief justice of the supreme court or the chief 293  
justice's designee; 294

(b) The director of youth services, or the director's 295  
designee; 296

(c) The three juvenile court judges; 297

(d) One court of common pleas judge who is not a juvenile 298  
court judge; 299

(e) One county prosecuting attorney who is experienced in 300  
the prosecution of cases in juvenile court involving alleged 301  
delinquent children, unruly children, and juvenile traffic 302

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offenders; 303

(f) The attorney whose practice of law primarily involves 304  
the representation in juvenile court of alleged delinquent 305  
children, unruly children, and juvenile traffic offenders; 306

(g) The former victim of a violation of Title XXIX of the 307  
Revised Code; 308

(h) The county commissioner; 309

(i) One legislator from each political party; 310

(j) The sheriff; 311

(k) One municipal corporation or township peace officer 312  
who is experienced in the investigation of cases involving 313  
juveniles; 314

(l) Any other persons that the chief justice or the 315  
chairperson of the committee designates. 316

(2) The members may serve on the committee by designation 317  
of the chief justice or the chairperson of the committee. 318

(3) The chief justice shall designate a member to serve as 319  
chairperson of the committee. The committee shall select a vice- 320  
chairperson and any other necessary officers and adopt rules to 321  
govern its proceedings. 322

(4) The committee shall meet as necessary at the call of 323  
the chairperson or on the written request of four or more of the 324  
committee's members. A majority of the members of the committee 325  
constitutes a quorum, and the votes of a majority of the quorum 326  
present are required to validate any action of the committee, 327  
including recommendations to the commission. 328

(5) The committee and the commission shall comply with 329

section 181.26 of the Revised Code. 330

Sec. 181.26. (A) In addition to its duties set forth in 331  
this chapter, the state criminal sentencing commission shall do 332  
all of the following: 333

(1) Review all statutes governing delinquent child, unruly 334  
child, and juvenile traffic offender dispositions in this state; 335

(2) Review state and local resources, including facilities 336  
and programs, used for delinquent child, unruly child, and 337  
juvenile traffic offender dispositions and the populations of 338  
youthful offenders in the facilities and programs; 339

(3) Develop a juvenile justice policy for the state. The 340  
policy shall be designed to: 341

(a) Assist in the managing of the number of persons in, 342  
operation of, and costs of the facilities, the programs, and 343  
other resources used in delinquent child, unruly child, and 344  
juvenile traffic offender dispositions; 345

(b) Further the purposes for disposition under section 346  
2152.01 of the Revised Code; 347

(c) Provide greater certainty, proportionality, 348  
uniformity, fairness, and simplicity in delinquent child, unruly 349  
child, and juvenile traffic offender dispositions while 350  
retaining reasonable judicial discretion. 351

(B) The commission shall do all of the following: 352

(1) Assist in the implementation of statutes governing 353  
delinquent child, unruly child, and juvenile traffic offender 354  
dispositions in this state; 355

(2) Monitor the operation of statutes governing delinquent 356

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child, unruly child, and juvenile traffic offender dispositions 357  
in this state, periodically report to the general assembly on 358  
the statutes' operation and the statutes' impact on resources 359  
used in delinquent child, unruly child, and juvenile traffic 360  
offender dispositions, and recommend necessary changes in the 361  
statutes to the general assembly in the biennial monitoring 362  
report described in section 181.25 of the Revised Code; 363

(3) Review all bills that are introduced in the general 364  
assembly related to delinquent child, unruly child, and juvenile 365  
traffic offender dispositions, determine if those bills are 366  
consistent with the juvenile justice policy adopted under 367  
division (A) (3) of this section, recommend to the general 368  
assembly amendments to those bills if necessary, and assist the 369  
general assembly in making legislation consistent with the 370  
juvenile justice policy adopted under division (A) (3) of this 371  
section. 372

**Sec. 325.33.** (A) Notwithstanding sections 325.27 and 373  
325.31 of the Revised Code, all fees retained by the clerk of 374  
courts under Chapters 1548., 4505., and 4519. of the Revised 375  
Code, all fees the clerk of courts receives as a third-party 376  
administrator of the motor vehicle skills test under section 377  
4507.112 of the Revised Code, and all fees the clerk of courts 378  
receives in the capacity of deputy registrar under section 379  
4503.03 of the Revised Code shall be paid into the county 380  
treasury to the credit of the certificate of title 381  
administration fund, which is hereby created. Fees credited to 382  
the fund shall be used as follows: 383

(1) To pay the costs incurred by the clerk of courts in 384  
processing titles under Chapters 1548., 4505., and 4519. of the 385  
Revised Code; 386

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(2) To pay the clerk of courts an eight thousand dollar 387  
annual pay supplement for performing the duties of a deputy 388  
registrar if the clerk is not a limited authority deputy 389  
registrar, as described in section 4501:1-6-04 of the Ohio 390  
Administrative Code. 391

(B) If the board of county commissioners and the clerk of 392  
courts agree that the money in the fund exceeds what is needed 393  
to pay the costs specified in division (A) of this section, the 394  
excess may be transferred to the county general fund and used 395  
for other county purposes. If the board of county commissioners 396  
and the clerk of courts are unable to agree on the amount of any 397  
such excess, the county budget commission shall determine the 398  
amount that will be transferred to the county general fund. 399

**Sec. 345.13.** A soldiers' memorial, provided for by section 400  
345.01 of the Revised Code, shall be maintained so as to 401  
commemorate the services of all members and veterans of the 402  
armed forces of the United States. The board of trustees shall 403  
make rules and regulations for the use, administration, and 404  
maintenance of such memorial as is fitting and necessary to 405  
carry out the purposes thereof. The board of trustees may make 406  
rules and regulations for entertainment, retail, educational, 407  
sporting, social, cultural, or arts opportunities at the 408  
memorial. 409

When such memorial is a building, it shall provide 410  
suitable apartments of sufficient dimensions to commemorate the 411  
soldiers, sailors, marines, and all members of the armed forces 412  
of the United States, so designated by congress, ~~both men and~~ 413  
~~women of the county,~~ who have lost their lives while in the 414  
service of the country. Suitable tablets shall be maintained 415  
with the names of such soldiers, sailors, and marines inscribed 416



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thereon. The building may include a public auditorium, music 417  
hall, and recreational facilities. 418

The board may establish rental fees and other charges for 419  
the use of the memorial, and it may waive any portion of such 420  
charges. 421

With the approval of the board of county commissioners, 422  
the board of trustees may enter into contracts with political 423  
subdivisions or nonprofit organizations for the use of other 424  
facilities separate and apart from the memorial, and to provide 425  
other services. Such use shall adhere to the rules and 426  
regulations established by the board of trustees to carry out 427  
the purposes of the memorial. 428

**Sec. 517.23.** (A) Subject to divisions (B), (D), ~~and (E)~~, 429  
and (F) of this section, the board of township trustees, the 430  
trustees or directors of a cemetery association, or the other 431  
officers having control and management of a cemetery or the 432  
officer of a municipal corporation who has control and 433  
management of a municipal cemetery shall disinter or grant 434  
permission to disinter any remains ~~buried~~ interred in the 435  
cemetery in either of the following circumstances: 436

(1) Within thirty days after an application for 437  
disinterment is filed with the cemetery in accordance with 438  
division (A) of section 517.24 of the Revised Code and payment 439  
of the reasonable costs and expense of disinterment is made by 440  
the following applicants: 441

(a) A designated representative, or successor, to whom the 442  
decedent had assigned the right of disposition in a written 443  
declaration pursuant to section 2108.70 of the Revised Code and 444  
who had exercised such right at the time of the declarant's 445

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death; 446

(b) If no designated representative exercised the right of 447  
disposition pursuant to section 2108.70 of the Revised Code, the 448  
surviving spouse of the decedent who is eighteen years of age or 449  
older. 450

(2) On order of a probate court issued under division (B) 451  
of section 517.24 of the Revised Code and payment by the person 452  
who applied for the order under that division of the reasonable 453  
costs and expense of disinterment. 454

(B) No disinterment shall be made pursuant to this section 455  
and section 517.24 of the Revised Code if the decedent died of a 456  
contagious or infectious disease until a permit has been issued 457  
by the board of health of a general health district or of a city 458  
health district. This division does not apply to cremated 459  
remains. 460

(C) Upon disinterment of remains under division (A) (1) or 461  
(2) of this section, the involved board, trustees, directors, 462  
other officers, or officer of the municipal corporation shall 463  
deliver or cause to be delivered the disinterred remains to the 464  
applicant under division (A) (1) of this section or, if the 465  
disinterment was pursuant to court order issued under division 466  
(B) of section 517.24 of the Revised Code, to the person who 467  
applied for the order under that division. 468

(D) The board of township trustees, the trustees or 469  
directors of a cemetery association, or the other officers 470  
having control and management of a cemetery or the officer of a 471  
municipal corporation who has control and management of a 472  
municipal cemetery may disinter or grant permission to disinter 473  
and, if appropriate, may reinter or grant permission to reinter 474

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any remains ~~buried~~interred in the cemetery to correct an 475  
interment error in the cemetery if the board, trustees, 476  
directors, other officers, or officer of the municipal 477  
corporation comply with the internal rules of the cemetery 478  
pertaining to disinterments and if the board, trustees, 479  
directors, other officers, or officer of the municipal 480  
corporation provide notice of the disinterment to the person who 481  
has been assigned or reassigned the rights of disposition for 482  
the deceased person under the provisions of section 2108.70 or 483  
2108.81 of the Revised Code. The board, trustees, directors, 484  
other officers, or officer of the municipal corporation may 485  
correct an interment error under this division without a court 486  
order or an application by a person. 487

(E) (1) A person who is an interested party and who is 488  
eighteen years of age or older and of sound mind may apply to 489  
the probate court of the county in which the decedent is ~~buried~~ 490  
interred for an order to prevent the applicant under division 491  
(A) (1) of this section from having the remains of the decedent 492  
disinterred. An application to prevent the disinterment of the 493  
remains of the decedent shall be in writing, subscribed and 494  
verified by oath, and include all of the following: 495

(a) If applicable, a statement that the applicant assumed 496  
financial responsibility for the funeral and ~~burial~~interment 497  
expenses of the decedent; 498

(b) If division (E) (1) (a) of this section is inapplicable 499  
relative to the applicant, a statement that the applicant did 500  
not assume financial responsibility for the funeral and ~~burial~~ 501  
interment expenses of the decedent; 502

(c) A statement that the applicant is eighteen years of 503  
age or older and of sound mind; 504

(d) The relationship of the applicant to the decedent; 505

(e) A statement of the applicant's reasons to oppose the 506  
disinterment of the remains of the decedent. 507

(2) An applicant for an order to prevent the disinterment 508  
of the remains of the decedent under division (E) of this 509  
section promptly shall give notice of the filing of the 510  
application by certified mail, return receipt requested, to the 511  
applicant under division (A) (1) of this section. The notice 512  
shall indicate that the applicant has filed an application for 513  
an order to prevent the disinterment of the remains of the 514  
decedent. 515

~~(F)~~ (F) (1) If the repair or replacement of a mausoleum or 516  
columbarium necessitates the disinterment of one or more sets of 517  
remains, the board, trustees, directors, other officers, or 518  
officer of the municipal corporation, shall file a single 519  
application with the probate court in the county where the 520  
mausoleum or columbarium is situated for a disinterment order 521  
that authorizes the disinterment and reinterment of those 522  
affected remains in the mausoleum or columbarium. Upon the 523  
filing of the application, the probate court shall schedule a 524  
hearing. 525

(2) The board, trustees, directors, other officers, or 526  
officer of the municipal corporation promptly shall provide 527  
notice to the surviving spouses of the affected decedents and to 528  
the persons who have been assigned or reassigned the rights of 529  
disposition for the affected remains under the provisions of 530  
sections 2108.70 to 2108.90 of the Revised Code. The notice 531  
shall state that an application for disinterment has been filed 532  
and shall provide the time, date, and location of the hearing. 533  
The notice shall be sent by certified mail, return receipt 534

requested, or, if the names or addresses of such persons are 535  
unknown and cannot with reasonable diligence be ascertained, the 536  
notice shall be made by publication in a newspaper of general 537  
circulation in the county where the probate court is located and 538  
as otherwise required by the probate court. 539

(3) Upon conducting the hearing, the court shall issue an 540  
order of disinterment if all of the following are satisfied: 541

(a) The affected remains shall be held in a permanent or 542  
temporary structure on cemetery property that allows for access 543  
for visitation during the times that the cemetery's other 544  
grounds and facilities are open for visitation, shall be 545  
properly identified and held in a secure manner without any 546  
commingling of cremated remains, and shall not be held for a 547  
period exceeding eighteen months unless an extension of time is 548  
granted by the probate court for good cause; 549

(b) If a mausoleum or columbarium is being replaced, the 550  
replacement mausoleum or columbarium shall be built on property 551  
that is owned by the cemetery and that is either the same 552  
property upon which the original mausoleum or columbarium was 553  
located or property that is contiguous thereto; 554

(c) The cemetery provided notice as required under 555  
division (F) (2) of this section; 556

(d) Upon considering all of the following, the court finds 557  
there are one or more compelling reasons to issue the requested 558  
order of disinterment: 559

(i) The cost, feasibility, and timetable for the repairs 560  
or replacement; 561

(ii) The current condition of the structure to be repaired 562  
or replaced; 563

(iii) The location, design, features, and overall quality 564  
of the proposed replacement structure; 565

(iv) The input of the persons receiving notice under 566  
division (F) (2) of this section. 567

(4) A cemetery is not liable in damages in a civil action 568  
if the cemetery changes the specific location of entombment 569  
rights or columbarium rights due to the repair or replacement of 570  
a mausoleum or columbarium made in accordance with an order 571  
issued by the probate court under division (F) (3) of this 572  
section. 573

(G) As used in this section and in section 517.24 of the 574  
Revised Code: 575

(1) "Cemetery" and "interment" have the same meanings as 576  
in section 1721.21 of the Revised Code. 577

(2) "Disinterment" means the recovery of human remains by 578  
exhumation, disentombment, or disinurnment. "Disinterment" does 579  
not include the raising and lowering of remains to accommodate 580  
two interments within a single grave and does not include the 581  
repositioning of an outside burial container that encroaches an 582  
adjoining burial space. 583

**Sec. 1317.07.** No retail installment contract authorized by 584  
section 1317.03 of the Revised Code that is executed in 585  
connection with any retail installment sale shall evidence any 586  
indebtedness in excess of the time balance fixed in the written 587  
instrument in compliance with section 1317.04 of the Revised 588  
Code, but it may evidence in addition any agreements of the 589  
parties for the payment of delinquent charges, as provided for 590  
in section 1317.06 of the Revised Code, taxes, and any lawful 591  
fee actually paid out, or to be paid out, by the retail seller 592

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to any public officer for filing, recording, or releasing any  
instrument securing the payment of the obligation owed on any  
retail installment contract. No retail seller, directly or  
indirectly, shall charge, contract for, or receive from any  
retail buyer, any further or other amount for examination,  
service, brokerage, commission, expense, fee, or other thing of  
value, unless the retail seller is otherwise authorized by law  
to do so. A documentary service charge customarily and presently  
being paid on May 9, 1949, in a particular business and area may  
be charged if the charge does not exceed two hundred fifty  
dollars per sale, except as otherwise authorized by section  
4517.261 of the Revised Code.

No retail seller shall use multiple agreements with  
respect to a single item or related items purchased at the same  
time, with intent to obtain a higher charge than would otherwise  
be permitted by Chapter 1317. of the Revised Code or to avoid  
disclosure of an annual percentage rate, nor by use of such  
agreements make any charge greater than that which would be  
permitted by Chapter 1317. of the Revised Code had a single  
agreement been used.

**Sec. 1901.02.** (A) The municipal courts established by  
section 1901.01 of the Revised Code have jurisdiction within the  
corporate limits of their respective municipal corporations, or,  
for the Clermont county municipal court, and, effective January  
1, 2008, the Erie county municipal court, within the municipal  
corporation or unincorporated territory in which they are  
established, and are courts of record. Each of the courts shall  
be styled "\_\_\_\_\_ municipal court,"  
inserting the name of the municipal corporation, except the  
following courts, which shall be styled as set forth below:

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(1) The municipal court established in Chesapeake that 623  
shall be styled and known as the "Lawrence county municipal 624  
court"; 625

(2) The municipal court established in Cincinnati that 626  
shall be styled and known as the "Hamilton county municipal 627  
court"; 628

(3) The municipal court established in Ravenna that shall 629  
be styled and known as the "Portage county municipal court"; 630

(4) The municipal court established in Athens that shall 631  
be styled and known as the "Athens county municipal court"; 632

(5) The municipal court established in Columbus that shall 633  
be styled and known as the "Franklin county municipal court"; 634

(6) The municipal court established in London that shall 635  
be styled and known as the "Madison county municipal court"; 636

(7) The municipal court established in Newark that shall 637  
be styled and known as the "Licking county municipal court"; 638

(8) The municipal court established in Wooster that shall 639  
be styled and known as the "Wayne county municipal court"; 640

(9) The municipal court established in Wapakoneta that 641  
shall be styled and known as the "Auglaize county municipal 642  
court"; 643

(10) The municipal court established in Troy that shall be 644  
styled and known as the "Miami county municipal court"; 645

(11) The municipal court established in Bucyrus that shall 646  
be styled and known as the "Crawford county municipal court"; 647

(12) The municipal court established in Logan that shall 648  
be styled and known as the "Hocking county municipal court"; 649



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(13) The municipal court established in Urbana that shall 650  
be styled and known as the "Champaign county municipal court"; 651

(14) The municipal court established in Jackson that shall 652  
be styled and known as the "Jackson county municipal court"; 653

(15) The municipal court established in Springfield that 654  
shall be styled and known as the "Clark county municipal court"; 655

(16) The municipal court established in Kenton that shall 656  
be styled and known as the "Hardin county municipal court"; 657

(17) The municipal court established within Clermont 658  
county in Batavia or in any other municipal corporation or 659  
unincorporated territory within Clermont county that is selected 660  
by the legislative authority of that court that shall be styled 661  
and known as the "Clermont county municipal court"; 662

(18) The municipal court established in Wilmington that, 663  
beginning July 1, 1992, shall be styled and known as the 664  
"Clinton county municipal court"; 665

(19) The municipal court established in Port Clinton that 666  
shall be styled and known as the "Ottawa county municipal 667  
court"; 668

(20) The municipal court established in Lancaster that, 669  
beginning January 2, 2000, shall be styled and known as the 670  
"Fairfield county municipal court"; 671

(21) The municipal court established within Columbiana 672  
county in Lisbon or in any other municipal corporation or 673  
unincorporated territory selected pursuant to division (I) of 674  
section 1901.021 of the Revised Code, that shall be styled and 675  
known as the "Columbiana county municipal court"; 676

(22) The municipal court established in Georgetown that, 677

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beginning February 9, 2003, shall be styled and known as the 678  
"Brown county municipal court"; 679

(23) The municipal court established in Mount Gilead that, 680  
beginning January 1, 2003, shall be styled and known as the 681  
"Morrow county municipal court"; 682

(24) The municipal court established in Greenville that, 683  
beginning January 1, 2005, shall be styled and known as the 684  
"Darke county municipal court"; 685

(25) The municipal court established in Millersburg that, 686  
beginning January 1, 2007, shall be styled and known as the 687  
"Holmes county municipal court"; 688

(26) The municipal court established in Carrollton that, 689  
beginning January 1, 2007, shall be styled and known as the 690  
"Carroll county municipal court"; 691

(27) The municipal court established within Erie county in 692  
Milan or established in any other municipal corporation or 693  
unincorporated territory that is within Erie county, is within 694  
the territorial jurisdiction of that court, and is selected by 695  
the legislative authority of that court that, beginning January 696  
1, 2008, shall be styled and known as the "Erie county municipal 697  
court"; 698

(28) The municipal court established in Ottawa that, 699  
beginning January 1, 2011, shall be styled and known as the 700  
"Putnam county municipal court"; 701

(29) The municipal court established within Montgomery 702  
county in any municipal corporation or unincorporated territory 703  
within Montgomery county, except the municipal corporations of 704  
Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, 705  
Miamisburg, Moraine, Oakwood, Union, Vandalia, and West 706

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Carrollton and Butler, German, Harrison, Miami, and Washington 707  
townships, that is selected by the legislative authority of that 708  
court and that, beginning July 1, 2010, shall be styled and 709  
known as the "Montgomery county municipal court"; 710

(30) The municipal court established in Tiffin that, 711  
beginning January 1, 2014, shall be styled and known as the 712  
"Tiffin-Fostoria municipal court"; 713

(31) The municipal court established in New Lexington 714  
that, beginning January 1, 2018, shall be styled and known as 715  
the "Perry county municipal court"; 716

(32) The municipal court established in Paulding that, 717  
beginning January 1, 2020, shall be styled and known as the 718  
"Paulding county municipal court"; 719

(33) The municipal court established in Wauseon that, 720  
beginning January 1, 2024, shall be styled and known as the 721  
"Fulton county municipal court." 722

(B) In addition to the jurisdiction set forth in division 723  
(A) of this section, the municipal courts established by section 724  
1901.01 of the Revised Code have jurisdiction as follows: 725

The Akron municipal court has jurisdiction within Bath, 726  
Richfield, and Springfield townships, and within the municipal 727  
corporations of Fairlawn, Lakemore, and Mogadore, in Summit 728  
county. 729

The Alliance municipal court has jurisdiction within 730  
Lexington, Marlboro, Paris, and Washington townships in Stark 731  
county. 732

The Ashland municipal court has jurisdiction within 733  
Ashland county. 734

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The Ashtabula municipal court has jurisdiction within 735  
Ashtabula, Plymouth, and Saybrook townships in Ashtabula county. 736

The Athens county municipal court has jurisdiction within 737  
Athens county. 738

The Auglaize county municipal court has jurisdiction 739  
within Auglaize county. 740

The Avon Lake municipal court has jurisdiction within the 741  
municipal corporations of Avon and Sheffield in Lorain county. 742

The Barberton municipal court has jurisdiction within 743  
Coventry, Franklin, and Green townships, within all of Copley 744  
township except within the municipal corporation of Fairlawn, 745  
and within the municipal corporations of Clinton and Norton, in 746  
Summit county. 747

The Bedford municipal court has jurisdiction within the 748  
municipal corporations of Bedford Heights, Oakwood, Glenwillow, 749  
Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, 750  
Warrensville Heights, North Randall, and Woodmere, and within 751  
Warrensville and Chagrin Falls townships, in Cuyahoga county. 752

The Bellefontaine municipal court has jurisdiction within 753  
Logan county. 754

The Bellevue municipal court has jurisdiction within Lyme 755  
and Sherman townships in Huron county and within York township 756  
in Sandusky county. 757

The Berea municipal court has jurisdiction within the 758  
municipal corporations of Strongsville, Middleburgh Heights, 759  
Brook Park, Westview, and Olmsted Falls, and within Olmsted 760  
township, in Cuyahoga county. 761

The Bowling Green municipal court has jurisdiction within 762

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the municipal corporations of Bairdstown, Bloomdale, Bradner, 763  
 Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, 764  
 Milton Center, North Baltimore, Pemberville, Portage, Rising 765  
 Sun, Tontogany, Wayne, West Millgrove, and Weston; within Bloom, 766  
 Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, 767  
 Middleton, Milton, Montgomery, Plain, Portage, Washington, 768  
 Webster, and Weston townships in Wood county; and on and after 769  
 January 2, 2024, within Perry township in Wood county. 770

Beginning February 9, 2003, the Brown county municipal 771  
 court has jurisdiction within Brown county. 772

The Bryan municipal court has jurisdiction within Williams 773  
 county. 774

The Cambridge municipal court has jurisdiction within 775  
 Guernsey county. 776

The Campbell municipal court has jurisdiction within 777  
 Coitsville township in Mahoning county. 778

The Canton municipal court has jurisdiction within Canton, 779  
 Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in 780  
 Stark county. 781

The Carroll county municipal court has jurisdiction within 782  
 Carroll county. 783

The Celina municipal court has jurisdiction within Mercer 784  
 county. 785

The Champaign county municipal court has jurisdiction 786  
 within Champaign county. 787

The Chardon municipal court has jurisdiction within Geauga 788  
 county. 789

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The Chillicothe municipal court has jurisdiction within	790
Ross county.	791
The Circleville municipal court has jurisdiction within	792
Pickaway county.	793
The Clark county municipal court has jurisdiction within	794
Clark county.	795
The Clermont county municipal court has jurisdiction	796
within Clermont county.	797
The Cleveland municipal court has jurisdiction within the	798
municipal corporation of Bratenahl in Cuyahoga county.	799
Beginning July 1, 1992, the Clinton county municipal court	800
has jurisdiction within Clinton county.	801
The Columbiana county municipal court has jurisdiction	802
within Columbiana county.	803
<u>Beginning January 1, 2025, the Conneaut municipal court</u>	804
<u>has jurisdiction within the municipal corporation of North</u>	805
<u>Kingsville, and within Kingsville, Monroe, and Sheffield</u>	806
<u>townships, in Ashtabula county.</u>	807
The Coshocton municipal court has jurisdiction within	808
Coshocton county.	809
The Crawford county municipal court has jurisdiction	810
within Crawford county.	811
Until December 31, 2008, the Cuyahoga Falls municipal	812
court has jurisdiction within Boston, Hudson, Northfield Center,	813
Sagamore Hills, and Twinsburg townships, and within the	814
municipal corporations of Boston Heights, Hudson, Munroe Falls,	815
Northfield, Peninsula, Reminderville, Silver Lake, Stow,	816

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Tallmadge, Twinsburg, and Macedonia, in Summit county.	817
Beginning January 1, 2005, the Darke county municipal	818
court has jurisdiction within Darke county except within the	819
municipal corporation of Bradford.	820
The Defiance municipal court has jurisdiction within	821
Defiance county.	822
The Delaware municipal court has jurisdiction within	823
Delaware county.	824
The Eaton municipal court has jurisdiction within Preble	825
county.	826
The Elyria municipal court has jurisdiction within the	827
municipal corporations of Grafton, LaGrange, and North	828
Ridgeville, and within Elyria, Carlisle, Eaton, Columbia,	829
Grafton, and LaGrange townships, in Lorain county.	830
Beginning January 1, 2008, the Erie county municipal court	831
has jurisdiction within Erie county except within the townships	832
of Florence, Huron, Perkins, and Vermilion and the municipal	833
corporations of Bay View, Castalia, Huron, Sandusky, and	834
Vermilion.	835
The Fairborn municipal court has jurisdiction within the	836
municipal corporation of Beaver creek and within Bath and	837
Beaver creek townships in Greene county.	838
Beginning January 2, 2000, the Fairfield county municipal	839
court has jurisdiction within Fairfield county.	840
The Findlay municipal court has jurisdiction, until	841
January 2, 2024, within all of Hancock county except within	842
Washington township, and on and after January 2, 2024, within	843
all of Hancock county.	844

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The Franklin municipal court has jurisdiction within 845  
Franklin township in Warren county. 846

The Franklin county municipal court has jurisdiction 847  
within Franklin county. 848

The Fremont municipal court has jurisdiction within 849  
Ballville and Sandusky townships in Sandusky county. 850

Beginning January 1, 2024, the Fulton county municipal 851  
court has jurisdiction within Fulton county. 852

The Gallipolis municipal court has jurisdiction within 853  
Gallia county. 854

The Garfield Heights municipal court has jurisdiction 855  
within the municipal corporations of Maple Heights, Walton 856  
Hills, Valley View, Cuyahoga Heights, Newburgh Heights, 857  
Independence, and Brecksville in Cuyahoga county. 858

The Girard municipal court has jurisdiction within 859  
Liberty, Vienna, and Hubbard townships in Trumbull county. 860

The Hamilton municipal court has jurisdiction within Ross 861  
and St. Clair townships in Butler county. 862

The Hamilton county municipal court has jurisdiction 863  
within Hamilton county. 864

The Hardin county municipal court has jurisdiction within 865  
Hardin county. 866

The Hillsboro municipal court has jurisdiction within all 867  
of Highland county except within Madison township. 868

The Hocking county municipal court has jurisdiction within 869  
Hocking county. 870

The Holmes county municipal court has jurisdiction within 871



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Holmes county. 872

The Huron municipal court has jurisdiction within all of 873  
Huron township in Erie county except within the municipal 874  
corporation of Sandusky. 875

The Ironton municipal court has jurisdiction within Aid, 876  
Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington 877  
townships in Lawrence county. 878

The Jackson county municipal court has jurisdiction within 879  
Jackson county. 880

The Kettering municipal court has jurisdiction within the 881  
municipal corporations of Centerville and Moraine, and within 882  
Washington township, in Montgomery county. 883

Until January 2, 2000, the Lancaster municipal court has 884  
jurisdiction within Fairfield county. 885

The Lawrence county municipal court has jurisdiction 886  
within the townships of Fayette, Mason, Perry, Rome, Symmes, 887  
Union, and Windsor in Lawrence county. 888

The Lebanon municipal court has jurisdiction within 889  
Turtlecreek township in Warren county. 890

The Licking county municipal court has jurisdiction within 891  
Licking county. 892

The Lima municipal court has jurisdiction within Allen 893  
county. 894

The Lorain municipal court has jurisdiction within the 895  
municipal corporation of Sheffield Lake, and within Sheffield 896  
township, in Lorain county. 897

The Lyndhurst municipal court has jurisdiction within the 898

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municipal corporations of Mayfield Heights, Gates Mills, 899  
 Mayfield, Highland Heights, and Richmond Heights in Cuyahoga 900  
 county. 901

The Madison county municipal court has jurisdiction within 902  
 Madison county. 903

The Mansfield municipal court has jurisdiction within 904  
 Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, 905  
 Washington, Monroe, Perry, Jefferson, and Worthington townships, 906  
 and within sections 35-36-31 and 32 of Butler township, in 907  
 Richland county. 908

The Marietta municipal court has jurisdiction within 909  
 Washington county. 910

The Marion municipal court has jurisdiction within Marion 911  
 county. 912

The Marysville municipal court has jurisdiction within 913  
 Union county. 914

The Mason municipal court has jurisdiction within 915  
 Deerfield township in Warren county. 916

The Massillon municipal court has jurisdiction within 917  
 Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson 918  
 townships in Stark county. 919

The Maumee municipal court has jurisdiction within the 920  
 municipal corporations of Waterville and Whitehouse, within 921  
 Waterville and Providence townships, and within those portions 922  
 of Springfield, Monclova, and Swanton townships lying south of 923  
 the northerly boundary line of the Ohio turnpike, in Lucas 924  
 county. 925

The Medina municipal court has jurisdiction within the 926

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municipal corporations of Briarwood Beach, Brunswick, Chippewa- 927  
on-the-Lake, and Spencer and within the townships of Brunswick 928  
Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, 929  
Liverpool, Medina, Montville, Spencer, and York townships, in 930  
Medina county. 931

The Mentor municipal court has jurisdiction within the 932  
municipal corporation of Mentor-on-the-Lake in Lake county. 933

The Miami county municipal court has jurisdiction within 934  
Miami county and within the part of the municipal corporation of 935  
Bradford that is located in Darke county. 936

The Miamisburg municipal court has jurisdiction within the 937  
municipal corporations of Germantown and West Carrollton, and 938  
within German and Miami townships in Montgomery county. 939

The Middletown municipal court has jurisdiction within 940  
Madison township, and within all of Lemon township, except 941  
within the municipal corporation of Monroe, in Butler county. 942

Beginning July 1, 2010, the Montgomery county municipal 943  
court has jurisdiction within all of Montgomery county except 944  
for the municipal corporations of Centerville, Clayton, Dayton, 945  
Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, 946  
Union, Vandalia, and West Carrollton and Butler, German, 947  
Harrison, Miami, and Washington townships. 948

Beginning January 1, 2003, the Morrow county municipal 949  
court has jurisdiction within Morrow county. 950

The Mount Vernon municipal court has jurisdiction within 951  
Knox county. 952

The Napoleon municipal court has jurisdiction within Henry 953  
county. 954

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The New Philadelphia municipal court has jurisdiction 955  
 within the municipal corporation of Dover, and within Auburn, 956  
 Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, 957  
 Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in 958  
 Tuscarawas county. 959

The Newton Falls municipal court has jurisdiction within 960  
 Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington, 961  
 Farmington, and Mesopotamia townships in Trumbull county. 962

The Niles municipal court has jurisdiction within the 963  
 municipal corporation of McDonald, and within Weathersfield 964  
 township in Trumbull county. 965

The Norwalk municipal court has jurisdiction within all of 966  
 Huron county except within the municipal corporation of Bellevue 967  
 and except within Lyme and Sherman townships. 968

The Oberlin municipal court has jurisdiction within the 969  
 municipal corporations of Amherst, Kipton, Rochester, South 970  
 Amherst, and Wellington, and within Henrietta, Russia, Camden, 971  
 Pittsfield, Brighton, Wellington, Penfield, Rochester, and 972  
 Huntington townships, and within all of Amherst township except 973  
 within the municipal corporation of Lorain, in Lorain county. 974

The Oregon municipal court has jurisdiction within the 975  
 municipal corporation of Harbor View, and within Jerusalem 976  
 township, in Lucas county, and north within Maumee Bay and Lake 977  
 Erie to the boundary line between Ohio and Michigan between the 978  
 easterly boundary of the court and the easterly boundary of the 979  
 Toledo municipal court. 980

The Ottawa county municipal court has jurisdiction within 981  
 Ottawa county. 982

The Painesville municipal court has jurisdiction within 983

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Painesville, Perry, Leroy, Concord, and Madison townships in 984  
 Lake county. 985

The Parma municipal court has jurisdiction within the 986  
 municipal corporations of Parma Heights, Brooklyn, Linndale, 987  
 North Royalton, Broadview Heights, Seven Hills, and Brooklyn 988  
 Heights in Cuyahoga county. 989

Beginning January 1, 2018, the Perry county municipal 990  
 court has jurisdiction within Perry county. 991

Beginning January 1, 2020, the Paulding county municipal 992  
 court has jurisdiction within Paulding county. 993

The Perrysburg municipal court has jurisdiction within the 994  
 municipal corporations of Luckey, Millbury, Northwood, Rossford, 995  
 and Walbridge, and within Perrysburg, Lake, and Troy townships, 996  
 in Wood county. 997

The Portage county municipal court has jurisdiction within 998  
 Portage county. 999

The Portsmouth municipal court has jurisdiction within 1000  
 Scioto county. 1001

The Putnam county municipal court has jurisdiction within 1002  
 Putnam county. 1003

The Rocky River municipal court has jurisdiction within 1004  
 the municipal corporations of Bay Village, Westlake, Fairview 1005  
 Park, and North Olmsted, and within Riveredge township, in 1006  
 Cuyahoga county. 1007

The Sandusky municipal court has jurisdiction within the 1008  
 municipal corporations of Castalia and Bay View, and within 1009  
 Perkins township, in Erie county. 1010

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The Shaker Heights municipal court has jurisdiction within 1011  
the municipal corporations of University Heights, Beachwood, 1012  
Pepper Pike, and Hunting Valley in Cuyahoga county. 1013

The Shelby municipal court has jurisdiction within Sharon, 1014  
Jackson, Cass, Plymouth, and Blooming Grove townships, and 1015  
within all of Butler township except sections 35-36-31 and 32, 1016  
in Richland county. 1017

The Sidney municipal court has jurisdiction within Shelby 1018  
county. 1019

Beginning January 1, 2009, the Stow municipal court has 1020  
jurisdiction within Boston, Hudson, Northfield Center, Sagamore 1021  
Hills, and Twinsburg townships, and within the municipal 1022  
corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe 1023  
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, 1024  
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1025

The Struthers municipal court has jurisdiction within the 1026  
municipal corporations of Lowellville, New Middleton, and 1027  
Poland, and within Poland and Springfield townships in Mahoning 1028  
county. 1029

The Sylvania municipal court has jurisdiction within the 1030  
municipal corporations of Berkey and Holland, and within 1031  
Sylvania, Richfield, Spencer, and Harding townships, and within 1032  
those portions of Swanton, Monclova, and Springfield townships 1033  
lying north of the northerly boundary line of the Ohio turnpike, 1034  
in Lucas county. 1035

Beginning January 1, 2014, the Tiffin-Fostoria municipal 1036  
court has jurisdiction within Adams, Big Spring, Bloom, Clinton, 1037  
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, 1038  
Scipio, Seneca, Thompson, and Venice townships in Seneca county, 1039

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and beginning on January 1, 2014, and until January 2, 2024, has 1040  
jurisdiction within Washington township in Hancock county, and 1041  
within Perry township, except within the municipal corporation 1042  
of West Millgrove, in Wood county. 1043

The Toledo municipal court has jurisdiction within 1044  
Washington township, and within the municipal corporation of 1045  
Ottawa Hills, in Lucas county. 1046

The Upper Sandusky municipal court has jurisdiction within 1047  
Wyandot county. 1048

The Vandalia municipal court has jurisdiction within the 1049  
municipal corporations of Clayton, Englewood, and Union, and 1050  
within Butler, Harrison, and Randolph townships, in Montgomery 1051  
county. 1052

The Van Wert municipal court has jurisdiction within Van 1053  
Wert county. 1054

The Vermilion municipal court has jurisdiction within the 1055  
townships of Vermilion and Florence in Erie county and within 1056  
all of Brownhelm township except within the municipal 1057  
corporation of Lorain, in Lorain county. 1058

The Wadsworth municipal court has jurisdiction within the 1059  
municipal corporations of Gloria Glens Park, Lodi, Seville, and 1060  
Westfield Center, and within Guilford, Harrisville, Homer, 1061  
Sharon, Wadsworth, and Westfield townships in Medina county. 1062

The Warren municipal court has jurisdiction within Warren 1063  
and Champion townships, and within all of Howland township 1064  
except within the municipal corporation of Niles, in Trumbull 1065  
county. 1066

The Washington Court House municipal court has 1067

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jurisdiction within Fayette county. 1068

The Wayne county municipal court has jurisdiction within 1069  
Wayne county. 1070

The Willoughby municipal court has jurisdiction within the 1071  
municipal corporations of Eastlake, Wickliffe, Willowick, 1072  
Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, 1073  
Timberlake, and Lakeline, and within Kirtland township, in Lake 1074  
county. 1075

Through June 30, 1992, the Wilmington municipal court has 1076  
jurisdiction within Clinton county. 1077

The Xenia municipal court has jurisdiction within 1078  
Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, 1079  
Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in 1080  
Greene county. 1081

(C) As used in this section: 1082

(1) "Within a township" includes all land, including, but 1083  
not limited to, any part of any municipal corporation, that is 1084  
physically located within the territorial boundaries of that 1085  
township, whether or not that land or municipal corporation is 1086  
governmentally a part of the township. 1087

(2) "Within a municipal corporation" includes all land 1088  
within the territorial boundaries of the municipal corporation 1089  
and any townships that are coextensive with the municipal 1090  
corporation. 1091

**Sec. 1901.123.** (A) (1) Subject to reimbursement under 1092  
division (B) of this section, the treasurer of the county in 1093  
which a county-operated municipal court or other municipal court 1094  
is located shall pay the per diem compensation to which an 1095



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acting judge appointed pursuant to division (A) (2) (a), (B) (1), 1096  
or (C) (1) of section 1901.121 of the Revised Code is entitled 1097  
pursuant to division (A) (1) of section 1901.122 of the Revised 1098  
Code. 1099

(2) The treasurer of the county in which a county-operated 1100  
municipal court or other municipal court is located shall pay 1101  
the per diem compensation to which an assigned judge assigned 1102  
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D) 1103  
of section 1901.121 of the Revised Code is entitled pursuant to 1104  
division (B) (1) or (4) of section 1901.122 of the Revised Code. 1105

(3) Subject to reimbursement under division (B) of this 1106  
section, the treasurer of the county in which a county-operated 1107  
municipal court or other municipal court is located shall pay 1108  
the per diem compensation to which an assigned judge assigned 1109  
pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D) 1110  
of section 1901.121 of the Revised Code is entitled pursuant to 1111  
division (B) (2) of section 1901.122 of the Revised Code. 1112

(4) Subject to reimbursement under division (C) of this 1113  
section, the supreme court shall pay the per diem compensation 1114  
to which an assigned judge assigned pursuant to division (A) (1), 1115  
(A) (2) (b), (B) (2), (C) (2), or (D) of section 1901.121 of the 1116  
Revised Code is entitled pursuant to division (B) (3) of section 1117  
1901.122 of the Revised Code. 1118

(B) ~~The treasurer of a~~ A county that, pursuant to division 1119  
(A) (1) or (3) of this section, is required to pay the per diem 1120  
compensation to which an acting judge or assigned judge is 1121  
entitled, shall submit to the administrative director of the 1122  
supreme court quarterly requests for reimbursements of the state 1123  
portion of the per diem amounts so paid. The requests shall 1124  
include verifications of the payment of those amounts and an 1125

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affidavit from the acting judge or assigned judge stating the 1126  
days and hours worked. The administrative director shall cause 1127  
reimbursements of the state portion of the per diem amounts paid 1128  
to be issued to the county if the administrative director 1129  
verifies that those amounts were, in fact, so paid. If the 1130  
county fails to submit a request within one year after the per 1131  
diem compensation was paid, the administrative director shall 1132  
refuse to cause reimbursement to be issued. 1133

(C) If the supreme court, pursuant to division (A) (4) of 1134  
this section, is required to pay the per diem compensation to 1135  
which an assigned judge is entitled, annually, on the first day 1136  
of August, the administrative director of the supreme court 1137  
shall issue a billing to the county treasurer of any county to 1138  
which such a judge was assigned to a municipal court for 1139  
reimbursement of the county or local portion of the per diem 1140  
compensation previously paid by the supreme court for the 1141  
twelve-month period preceding the last day of June. The county 1142  
or local portion of the per diem compensation shall be that part 1143  
of each per diem paid by the state which is proportional to the 1144  
county or local shares of the total compensation of a resident 1145  
judge of such court. The county treasurer shall forward the 1146  
payment within thirty days. After forwarding the payment, the 1147  
county treasurer shall seek reimbursement from the applicable 1148  
local municipalities as appropriate. 1149

**Sec. 1901.261.** (A) (1) A municipal court may determine that 1150  
for the efficient operation of the court additional funds are 1151  
required to computerize the court, to make available 1152  
computerized legal research services, or to do both. Upon making 1153  
a determination that additional funds are required for either or 1154  
both of those purposes, the court shall include in its schedule 1155  
of fees and costs under section 1901.26 of the Revised Code one 1156

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additional fee not to exceed three dollars on the filing of each 1157  
cause of action or appeal equivalent to one described in 1158  
division (A), (Q), or (U) of section 2303.20 of the Revised Code 1159  
and shall direct the clerk of the court to charge the fee. 1160

(2) All fees collected under this section shall be paid on 1161  
or before the twentieth day of the month following the month in 1162  
which they are collected to the county treasurer if the court is 1163  
a county-operated municipal court or to the city treasurer if 1164  
the court is not a county-operated municipal court. The 1165  
treasurer shall place the funds from the fees in a separate fund 1166  
to be disbursed upon an order of the court, subject to an 1167  
appropriation by the board of county commissioners if the court 1168  
is a county-operated municipal court or by the legislative 1169  
authority of the municipal corporation if the court is not a 1170  
county-operated municipal court, or upon an order of the court, 1171  
subject to the court making an annual report available to the 1172  
public listing the use of all such funds, in an amount not 1173  
greater than the actual cost to the court of computerizing the 1174  
court, procuring and maintaining computerized legal research 1175  
services, or both. 1176

(3) If the court determines that the funds in the fund 1177  
described in division (A)(2) of this section are more than 1178  
sufficient to satisfy the purpose for which the additional fee 1179  
described in division (A)(1) of this section was imposed, the 1180  
court may declare a surplus in the fund and, subject to an 1181  
appropriation by the board of county commissioners if the court 1182  
is a county-operated municipal court or by the legislative 1183  
authority of the municipal corporation if the court is not a 1184  
county-operated municipal court, expend those surplus funds, or 1185  
upon an order of the court, subject to the court making an 1186  
annual report available to the public listing the use of all 1187

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such funds, expend those surplus funds, for other appropriate 1188  
 technological expenses of the court. 1189

~~(B)(1)~~ A(B)(1)(a) Except as provided in division (B)(1)(b) 1190  
of this section, the clerk of a municipal court may determine 1191  
that, for the efficient operation of the office of the clerk of 1192  
the municipal court, additional funds are required to 1193  
 computerize the office of the clerk of the court and, upon that 1194  
 determination, ~~may include in its schedule of fees and costs~~ 1195  
~~under section 1901.26 of the Revised Code an additional~~ 1196  
authorize and direct that a computerization fee not to exceed 1197  
~~ten twenty~~ dollars be charged on the filing of each cause of 1198  
 action or appeal, on the filing, docketing, and endorsing of 1199  
 each certificate of judgment, or on the docketing and indexing 1200  
 of each aid in execution or petition to vacate, revive, or 1201  
 modify a judgment that is equivalent to one described in 1202  
 division (A), (P), (Q), (T), or (U) of section 2303.20 of the 1203  
 Revised Code. 1204

(b) In a county in which the clerk of the municipal court 1205  
is appointed, the municipal court may make the determination 1206  
described in division (B)(1)(a) of this section and, upon that 1207  
determination, may include such a computerization fee in its 1208  
schedule of fees and costs under section 1901.26 of the Revised 1209  
Code. 1210

(2) Subject to division ~~(B)(2)~~ (B)(3) of this section, all 1211  
 moneys collected under division ~~(B)(1)~~ (B)(1)(a) of this section 1212  
 shall be paid on or before the twentieth day of the month 1213  
 following the month in which they are collected to the county 1214  
 treasurer if the court is a county-operated municipal court or 1215  
 to the city treasurer if the court is not a county-operated 1216  
 municipal court. The treasurer shall place the funds from the 1217

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fees in a separate fund to be disbursed, ~~upon an order of the~~ 1218  
~~municipal court and~~ subject to an appropriation made by the 1219  
board of county commissioners if the court is a county-operated 1220  
municipal court or by the legislative authority of the municipal 1221  
corporation if the court is not a county-operated municipal 1222  
court, in an amount no greater than the actual cost to the court 1223  
of procuring and maintaining computer systems for the office of 1224  
the clerk of the municipal court. 1225

~~(2)~~ (3) If a municipal court or the clerk of a municipal 1226  
court makes the determination described in division ~~(B) (1)~~ (B) (1) 1227  
(a) of this section, the board of county commissioners of the 1228  
county if the court is a county-operated municipal court or the 1229  
legislative authority of the municipal corporation if the court 1230  
is not a county-operated municipal court, may issue one or more 1231  
general obligation bonds for the purpose of procuring and 1232  
maintaining the computer systems for the office of the clerk of 1233  
the municipal court. In addition to the purposes stated in 1234  
division ~~(B) (1)~~ (B) (1) (a) of this section for which the moneys 1235  
collected under that division may be expended, the moneys 1236  
additionally may be expended to pay debt charges and financing 1237  
costs related to any general obligation bonds issued pursuant to 1238  
division ~~(B) (2)~~ (B) (3) of this section as they become due. 1239  
General obligation bonds issued pursuant to division ~~(B) (2)~~ (B) 1240  
(3) of this section are Chapter 133. securities. 1241

**Sec. 1901.313.** (A) Beginning not later than two hundred 1242  
seventy days after the effective date of this section, pleadings 1243  
or documents may be filed with the clerk of court either in 1244  
paper format or in electronic format. 1245

(B) (1) The clerk shall determine whether the filing of 1246  
pleadings or documents in electronic format may be accomplished 1247

either by electronic mail or through the use of an online 1248  
platform. 1249

(2) The fee for filing pleadings or documents in 1250  
electronic format may be paid after the filing. The clerk shall 1251  
not require that any fee for the filing of pleadings or 1252  
documents in electronic format be paid before the filing, unless 1253  
the clerk has provided for an electronic payment system for such 1254  
filing. 1255

(3) The clerk shall not require a fee for the filing of 1256  
pleadings or documents in electronic format that is greater than 1257  
the applicable fee for the filing of pleadings or documents in 1258  
paper format. 1259

(C) Pleadings and documents filed in paper format may be 1260  
converted to an electronic format. Documents created by the 1261  
clerk of court in the exercise of the clerk's duties may be 1262  
created in an electronic format. 1263

(D) When pleadings or documents are received or created 1264  
in, or converted to, an electronic format as provided in this 1265  
section, the pleadings or documents in that format shall be 1266  
considered the official version of the record. 1267

**Sec. 1907.11.** (A) Each county court district shall have 1268  
the following county court judges, to be elected as follows: 1269

In the Adams county county court, one part-time judge 1270  
shall be elected in 1982. 1271

~~In~~ Until December 31, 2030, in the Ashtabula county county 1272  
court, one part-time judge shall be elected in 1980, and one 1273  
part-time judge shall be elected in 1982. Notwithstanding any 1274  
contrary provision of division (C) of section 1907.13 of the 1275  
Revised Code, the part-time judge to be elected in 2028 shall be 1276

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elected for a term of two years commencing on January 1, 2029, 1277  
and ending on December 31, 2030. The Ashtabula county county 1278  
court part-time judgeships cease to exist on January 1, 2031. 1279  
One full-time judge shall be elected in 2030, for a six-year 1280  
term to commence on January 1, 2031. Effective January 1, 2031, 1281  
notwithstanding division (A) (6) of section 141.04 of the Revised 1282  
Code and division (A) of section 1907.16 of the Revised Code, 1283  
the full-time judge of the Ashtabula county county court under 1284  
this section shall receive the compensation set forth in 1285  
division (A) (5) of section 141.04 of the Revised Code. 1286

In the Belmont county county court, one part-time judge 1287  
shall be elected in 1992, term to commence on January 1, 1993, 1288  
and two part-time judges shall be elected in 1994, terms to 1289  
commence on January 1, 1995, and January 2, 1995, respectively. 1290

In the Butler county county court, one part-time judge 1291  
shall be elected in 1992, term to commence on January 1, 1993, 1292  
and two part-time judges shall be elected in 1994, terms to 1293  
commence on January 1, 1995, and January 2, 1995, respectively. 1294

Until December 31, 2007, in the Erie county county court, 1295  
one part-time judge shall be elected in 1982. Effective January 1296  
1, 2008, the Erie county county court shall cease to exist. 1297

In the Harrison county county court, one part-time judge 1298  
shall be elected in 1982. 1299

In the Highland county county court, one part-time judge 1300  
shall be elected in 1982. 1301

In the Jefferson county county court, one part-time judge 1302  
shall be elected in 1992, term to commence on January 1, 1993, 1303  
and two part-time judges shall be elected in 1994, terms to 1304  
commence on January 1, 1995, and January 2, 1995, respectively. 1305

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In the Mahoning county county court, one part-time judge 1306  
shall be elected in 1992, term to commence on January 1, 1993, 1307  
and three part-time judges shall be elected in 1994, terms to 1308  
commence on January 1, 1995, January 2, 1995, and January 3, 1309  
1995, respectively. 1310

In the Meigs county county court, one part-time judge 1311  
shall be elected in 1982. 1312

In the Monroe county county court, one part-time judge 1313  
shall be elected in 1982. 1314

In the Morgan county county court, one part-time judge 1315  
shall be elected in 1982. 1316

In the Muskingum county county court, one part-time judge 1317  
shall be elected in 1980, and one part-time judge shall be 1318  
elected in 1982. 1319

In the Noble county county court, one part-time judge 1320  
shall be elected in 1982. 1321

In the Pike county county court, one part-time judge shall 1322  
be elected in 1982. 1323

In the Sandusky county county court, one full-time judge 1324  
shall be elected in 2024, term to commence on January 2, 2025. 1325  
Effective January 2, 2025, notwithstanding division (A) (6) of 1326  
section 141.04 of the Revised Code and division (A) of section 1327  
1907.16 of the Revised Code, the full-time judge of the Sandusky 1328  
county county court under this section shall receive the 1329  
compensation set forth in division (A) (5) of section 141.04 of 1330  
the Revised Code. 1331

In the Trumbull county county court, one part-time judge 1332  
shall be elected in 1992, and one part-time judge shall be 1333



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elected in 1994. 1334

In the Tuscarawas county county court, one part-time judge 1335  
 shall be elected in 1982. 1336

In the Vinton county county court, one part-time judge 1337  
 shall be elected in 1982. 1338

In the Warren county county court, one part-time judge 1339  
 shall be elected in 1980, and one part-time judge shall be 1340  
 elected in 1982. 1341

(B)(1) Additional judges shall be elected at the next 1342  
 regular election for a county court judge as provided in section 1343  
 1907.13 of the Revised Code. 1344

(2) Vacancies caused by the death or the resignation from, 1345  
 forfeiture of, or removal from office of a judge shall be filled 1346  
 in accordance with section 107.08 of the Revised Code, except as 1347  
 provided in section 1907.15 of the Revised Code. 1348

**Sec. 1907.143.** (A)(1) Subject to reimbursement under 1349  
 division (B) of this section, the treasurer of the county in 1350  
 which a county court is located shall pay the per diem 1351  
 compensation to which an acting judge appointed pursuant to 1352  
 division (A)(2)(a), (B)(1), or (C)(1) of section 1907.141 of the 1353  
 Revised Code is entitled pursuant to division (A) of section 1354  
 1907.142 of the Revised Code. 1355

(2) The treasurer of the county in which a county court is 1356  
 located shall pay the per diem compensation to which an assigned 1357  
 judge assigned pursuant to division (A)(1), (A)(2)(b), (B)(2), 1358  
 or (C)(2) of section 1907.141 of the Revised Code is entitled 1359  
 pursuant to division (B)(1) or (4) of section 1907.142 of the 1360  
 Revised Code. 1361

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(3) Subject to reimbursement under division (B) of this 1362  
section, the treasurer of the county in which a county court is 1363  
located shall pay the per diem compensation to which an assigned 1364  
judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), 1365  
or (C) (2) of section 1907.141 of the Revised Code is entitled 1366  
pursuant to division (B) (2) of section 1907.142 of the Revised 1367  
Code. 1368

(4) Subject to reimbursement under division (C) of this 1369  
section, the supreme court shall pay the per diem compensation 1370  
to which an assigned judge assigned pursuant to division (A) (1), 1371  
(A) (2) (b), (B) (2), or (C) (2) of section 1907.141 of the Revised 1372  
Code is entitled pursuant to division (B) (3) of section 1907.142 1373  
of the Revised Code. 1374

(B) ~~The treasurer of a A~~ county that, pursuant to division 1375  
(A) (1) or (3) of this section, is required to pay the per diem 1376  
compensation to which an acting judge or assigned judge is 1377  
entitled, shall submit to the administrative director of the 1378  
supreme court quarterly requests for reimbursements of the state 1379  
portion of the per diem amounts so paid. The requests shall 1380  
include verifications of the payment of those amounts and an 1381  
affidavit from the acting judge or assigned judge stating the 1382  
days and hours worked. The administrative director shall cause 1383  
reimbursements of the state portion of the per diem amounts paid 1384  
to be issued to the county if the administrative director 1385  
verifies that those amounts were, in fact, so paid. If the 1386  
county fails to submit a request within one year after the per 1387  
diem compensation was paid, the administrative director shall 1388  
refuse to cause reimbursement to be issued. 1389

(C) If the supreme court, pursuant to division (A) (4) of 1390  
this section, is required to pay the per diem compensation to 1391

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which an assigned judge is entitled, annually, on the first day 1392  
of August, the administrative director of the supreme court 1393  
shall issue a billing to the county treasurer of any county to 1394  
which such a judge was assigned to a county court for 1395  
reimbursement of the county portion of the per diem compensation 1396  
previously paid by the supreme court for the twelve-month period 1397  
preceding the last day of June. The county portion of the per 1398  
diem compensation shall be that part of each per diem paid by 1399  
the state which is proportional to the county shares of the 1400  
total compensation of a resident judge of such court. The county 1401  
treasurer shall forward the payment within thirty days. After 1402  
forwarding the payment, the county treasurer shall seek 1403  
reimbursement from the applicable local municipalities as 1404  
appropriate. 1405

Sec. 1907.202. (A) Beginning not later than two hundred 1406  
seventy days after the effective date of this section, pleadings 1407  
or documents may be filed with the clerk of the county court 1408  
either in paper format or in electronic format. 1409

(B) (1) The clerk shall determine whether the filing of 1410  
pleadings or documents in electronic format may be accomplished 1411  
either by electronic mail or through the use of an online 1412  
platform. 1413

(2) The fee for filing pleadings or documents in 1414  
electronic format may be paid after the filing. The clerk shall 1415  
not require that any fee for the filing of pleadings or 1416  
documents in electronic format be paid before the filing, unless 1417  
the clerk has provided for an electronic payment system for such 1418  
filing. 1419

(3) The clerk shall not require a fee for the filing of 1420  
pleadings or documents in electronic format that is greater than 1421

the applicable fee for the filing of pleadings or documents in 1422  
paper format. 1423

(C) Pleadings and documents filed in paper format may be 1424  
converted to an electronic format. Documents created by the 1425  
clerk of the county court in the exercise of the clerk's duties 1426  
may be created in an electronic format. 1427

(D) When pleadings or documents are received or created 1428  
in, or converted to, an electronic format as provided in this 1429  
section, the pleadings or documents in that format shall be 1430  
considered the official version of the record. 1431

**Sec. 1907.261.** (A) (1) A county court may determine that 1432  
for the efficient operation of the court additional funds are 1433  
required to computerize the court, to make available 1434  
computerized legal research services, or to do both. Upon making 1435  
a determination that additional funds are required for either or 1436  
both of those purposes, the court shall include in its schedule 1437  
of fees and costs under section 1907.24 of the Revised Code one 1438  
additional fee not to exceed three dollars on the filing of each 1439  
cause of action or appeal equivalent to one described in 1440  
division (A), (Q), or (U) of section 2303.20 of the Revised Code 1441  
and shall direct the clerk of the court to charge the fee. 1442

(2) All fees collected under this section shall be paid on 1443  
or before the twentieth day of the month following the month in 1444  
which they are collected to the county treasurer. The treasurer 1445  
shall place the funds from the fees in a separate fund to be 1446  
disbursed either upon an order of the court, subject to an 1447  
appropriation by the board of county commissioners, or upon an 1448  
order of the court, subject to the court making an annual report 1449  
available to the public listing the use of all such funds, in an 1450  
amount not greater than the actual cost to the court of 1451

computerizing the court, procuring and maintaining computerized 1452  
legal research services, or both. 1453

(3) If the court determines that the funds in the fund 1454  
described in division (A) (2) of this section are more than 1455  
sufficient to satisfy the purpose for which the additional fee 1456  
described in division (A) (1) of this section was imposed, the 1457  
court may declare a surplus in the fund and, subject to an 1458  
appropriation by the board of county commissioners, expend those 1459  
surplus funds, or upon an order of the court, subject to the 1460  
court making an annual report available to the public listing 1461  
the use of all such funds, expend those surplus funds, for other 1462  
appropriate technological expenses of the court. 1463

~~(B) (1) A(B) (1) (a) Except as provided in division (B) (1) (b)~~ 1464  
~~of this section, the clerk of a county court may determine that,~~ 1465  
~~for the efficient operation of the office of the clerk of the~~ 1466  
~~court, additional funds are required to computerize the office~~ 1467  
~~of the clerk of the court and, upon that determination, may~~ 1468  
~~include in its schedule of fees and costs under section 1907.24~~ 1469  
~~of the Revised Code an additional~~authorize and direct that a 1470  
computerization fee not to exceed ~~ten~~twenty dollars be charged 1471  
on the filing of each cause of action or appeal, on the filing, 1472  
docketing, and endorsing of each certificate of judgment, or on 1473  
the docketing and indexing of each aid in execution or petition 1474  
to vacate, revive, or modify a judgment that is equivalent to 1475  
one described in division (A), (P), (Q), (T), or (U) of section 1476  
2303.20 of the Revised Code. 1477

(b) In a county in which the clerk of the county court is 1478  
appointed, the county court may make the determination described 1479  
in division (B) (1) (a) of this section and, upon that 1480  
determination, may include such a computerization fee in its 1481

schedule of fees and costs under section 1907.24 of the Revised 1482  
Code. 1483

(2) Subject to division ~~(B) (2)~~ (B) (3) of this section, all 1484  
moneys collected under division ~~(B) (1)~~ (B) (1) (a) of this section 1485  
shall be paid on or before the twentieth day of the month 1486  
following the month in which they are collected to the county 1487  
treasurer. The treasurer shall place the funds from the fees in 1488  
a separate fund to be disbursed, ~~upon an order of the county~~ 1489  
~~court and~~ subject to an appropriation made by the board of 1490  
county commissioners, in an amount no greater than the actual 1491  
cost to the court of procuring and maintaining computer systems 1492  
for the office of the clerk of the county court. 1493

~~(2)~~ (3) If a county court or the clerk of a county court 1494  
makes the determination described in division ~~(B) (1)~~ (B) (1) (a) of 1495  
this section, the board of county commissioners of that county 1496  
may issue one or more general obligation bonds for the purpose 1497  
of procuring and maintaining the computer systems for the office 1498  
of the clerk of the county court. In addition to the purposes 1499  
stated in division ~~(B) (1)~~ (B) (1) (a) of this section for which the 1500  
moneys collected under that division may be expended, the moneys 1501  
additionally may be expended to pay debt charges and financing 1502  
costs related to any general obligation bonds issued pursuant to 1503  
division ~~(B) (2)~~ (B) (3) of this section as they become due. 1504  
General obligation bonds issued pursuant to division ~~(B) (2)~~ (B) 1505  
(3) of this section are Chapter 133. securities. 1506

**Sec. 2303.081.** (A) Pleadings or documents may be filed 1507  
with the clerk of court either in paper format or in electronic 1508  
format. 1509

(B) (1) The clerk shall determine whether the filing of 1510  
pleadings or documents in electronic format may be accomplished 1511

either by electronic mail or through the use of an online 1512  
platform. 1513

(2) The fee for filing pleadings or documents in 1514  
electronic format may be paid after the filing. The clerk shall 1515  
not require that any fee for the filing of pleadings or 1516  
documents in electronic format be paid before the filing, unless 1517  
the clerk has provided for an electronic payment system for such 1518  
filing. 1519

(3) The clerk shall not require a fee for the filing of 1520  
pleadings or documents in electronic format that is greater than 1521  
the applicable fee for the filing of pleadings or documents in 1522  
paper format. 1523

(4) Divisions (B) (1), (2), and (3) of this section do not 1524  
apply to the filing of pleadings or documents in a probate court 1525  
or juvenile court. 1526

(C) Pleadings and documents filed in paper format may be 1527  
converted to an electronic format. Documents created by the 1528  
clerk of court in the exercise of the clerk's duties may be 1529  
created in an electronic format. 1530

~~(B)~~ (D) When pleadings or documents are received or 1531  
created in, or converted to, an electronic format as provided in 1532  
~~division (A) of this section,~~ the pleadings or documents in that 1533  
format shall be considered the official version of the record. 1534

**Sec. 2303.201.** (A) (1) The court of common pleas of any 1535  
county may determine that for the efficient operation of the 1536  
court additional funds are required to computerize the court, to 1537  
make available computerized legal research services, or to do 1538  
both. Upon making a determination that additional funds are 1539  
required for either or both of those purposes, the court shall 1540

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authorize and direct the clerk of the court of common pleas to 1541  
charge one additional fee, not to exceed six dollars, on the 1542  
filing of each cause of action or appeal under divisions (A), 1543  
(Q), and (U) of section 2303.20 of the Revised Code. 1544

(2) All fees collected under division (A)(1) of this 1545  
section shall be paid to the county treasurer. The treasurer 1546  
shall place the funds from the fees in a separate fund to be 1547  
disbursed either upon an order of the court, subject to an 1548  
appropriation by the board of county commissioners, or upon an 1549  
order of the court, subject to the court making an annual report 1550  
available to the public listing the use of all such funds, in an 1551  
amount not greater than the actual cost to the court of 1552  
procuring and maintaining computerization of the court, 1553  
computerized legal research services, or both. 1554

(3) If the court determines that the funds in the fund 1555  
described in division (A)(2) of this section are more than 1556  
sufficient to satisfy the purpose for which the additional fee 1557  
described in division (A)(1) of this section was imposed, the 1558  
court may declare a surplus in the fund and, subject to an 1559  
appropriation by the board of county commissioners, expend those 1560  
surplus funds, or upon an order of the court, subject to the 1561  
court making an annual report available to the public listing 1562  
the use of all such funds, expend those surplus funds, for other 1563  
appropriate technological expenses of the court. 1564

~~(B)(1) The~~ (B)(1)(a) Except as provided in division (B)(1) 1565  
(b) of this section, the clerk of the court of common pleas of 1566  
any county may determine that, for the efficient operation of 1567  
the office of the clerk of the court of common pleas, additional 1568  
funds are required to make technological advances in or to 1569  
computerize the office of the clerk of the court of common pleas 1570



and, upon that determination, authorize and direct ~~the clerk of~~ 1571  
~~the court of common pleas to charge that~~ an additional fee, not 1572  
to exceed twenty dollars, on the filing of each cause of action 1573  
or appeal, on the filing, docketing, and endorsing of each 1574  
certificate of judgment, or on the docketing and indexing of 1575  
each aid in execution or petition to vacate, revive, or modify a 1576  
judgment under divisions (A), (P), (Q), (T), and (U) of section 1577  
2303.20 of the Revised Code and not to exceed one dollar each 1578  
for the services described in divisions (B), (C), (D), (F), (H), 1579  
and (L) of section 2303.20 of the Revised Code, be charged. 1580

(b) In a county in which the clerk of the court of common 1581  
pleas is appointed, the court may make the determination 1582  
described in division (B)(1)(a) of this section and, upon that 1583  
determination, may include such a computerization fee in its 1584  
schedule of fees and costs. 1585

(2) Subject to division ~~(B)(2)~~ (B)(3) of this section, all 1586  
moneys collected under division ~~(B)(1)~~ (B)(1)(a) of this section 1587  
shall be paid to the county treasurer to be disbursed, ~~upon an~~ 1588  
~~order of the court of common pleas and~~ subject to an 1589  
appropriation made by the board of county commissioners, in an 1590  
amount no greater than the actual cost to the court of procuring 1591  
and maintaining technology and computer systems for the office 1592  
of the clerk of the court of common pleas. 1593

~~(2)~~ (3) If the court of common pleas or the clerk of the 1594  
court of common pleas of a county makes the determination 1595  
described in division ~~(B)(1)~~ (B)(1)(a) of this section, the board 1596  
of county commissioners of that county may issue one or more 1597  
general obligation bonds for the purpose of procuring and 1598  
maintaining the technology and computer systems for the office 1599  
of the clerk of the court of common pleas. In addition to the 1600

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purposes stated in division ~~(B) (1)~~ (B) (1) (a) of this section for 1601  
which the moneys collected under that division may be expended, 1602  
the moneys additionally may be expended to pay debt charges on 1603  
and financing costs related to any general obligation bonds 1604  
issued pursuant to division ~~(B) (2)~~ (B) (3) of this section as they 1605  
become due. General obligation bonds issued pursuant to division 1606  
~~(B) (2)~~ (B) (3) of this section are Chapter 133. securities. 1607

(C) The court of common pleas shall collect the sum of 1608  
twenty-six dollars as additional filing fees in each new civil 1609  
action or proceeding for the charitable public purpose of 1610  
providing financial assistance to legal aid societies that 1611  
operate within the state and to support the office of the state 1612  
public defender. This division does not apply to a juvenile 1613  
division of a court of common pleas, except that an additional 1614  
filing fee of fifteen dollars shall apply to custody, 1615  
visitation, and parentage actions; to a probate division of a 1616  
court of common pleas, except that the additional filing fees 1617  
shall apply to name change, guardianship, adoption, and 1618  
decedents' estate proceedings; or to an execution on a judgment, 1619  
proceeding in aid of execution, or other post-judgment 1620  
proceeding arising out of a civil action. The filing fees 1621  
required to be collected under this division shall be in 1622  
addition to any other filing fees imposed in the action or 1623  
proceeding and shall be collected at the time of the filing of 1624  
the action or proceeding. The court shall not waive the payment 1625  
of the additional filing fees in a new civil action or 1626  
proceeding unless the court waives the advanced payment of all 1627  
filing fees in the action or proceeding. All such moneys 1628  
collected during a month except for an amount equal to up to one 1629  
per cent of those moneys retained to cover administrative costs 1630  
shall be transmitted on or before the twentieth day of the 1631

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following month by the clerk of the court to the treasurer of 1632  
state in a manner prescribed by the treasurer of state or by the 1633  
Ohio access to justice foundation. The treasurer of state shall 1634  
deposit four per cent of the funds collected under this division 1635  
to the credit of the civil case filing fee fund established 1636  
under section 120.07 of the Revised Code and ninety-six per cent 1637  
of the funds collected under this division to the credit of the 1638  
legal aid fund established under section 120.52 of the Revised 1639  
Code. 1640

The court may retain up to one per cent of the moneys it 1641  
collects under this division to cover administrative costs, 1642  
including the hiring of any additional personnel necessary to 1643  
implement this division. If the court fails to transmit to the 1644  
treasurer of state the moneys the court collects under this 1645  
division in a manner prescribed by the treasurer of state or by 1646  
the Ohio access to justice foundation, the court shall forfeit 1647  
the moneys the court retains under this division to cover 1648  
administrative costs, including the hiring of any additional 1649  
personnel necessary to implement this division, and shall 1650  
transmit to the treasurer of state all moneys collected under 1651  
this division, including the forfeited amount retained for 1652  
administrative costs, for deposit in the legal aid fund. 1653

(D) On and after the thirtieth day after December 9, 1994, 1654  
the court of common pleas shall collect the sum of thirty-two 1655  
dollars as additional filing fees in each new action or 1656  
proceeding for annulment, divorce, or dissolution of marriage 1657  
for the purpose of funding shelters for victims of domestic 1658  
violence pursuant to sections 3113.35 to 3113.39 of the Revised 1659  
Code. The filing fees required to be collected under this 1660  
division shall be in addition to any other filing fees imposed 1661  
in the action or proceeding and shall be collected at the time 1662

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of the filing of the action or proceeding. The court shall not  
waive the payment of the additional filing fees in a new action  
or proceeding for annulment, divorce, or dissolution of marriage  
unless the court waives the advanced payment of all filing fees  
in the action or proceeding. On or before the twentieth day of  
each month, all moneys collected during the immediately  
preceding month pursuant to this division shall be deposited by  
the clerk of the court into the county treasury in the special  
fund used for deposit of additional marriage license fees as  
described in section 3113.34 of the Revised Code. Upon their  
deposit into the fund, the moneys shall be retained in the fund  
and expended only as described in section 3113.34 of the Revised  
Code.

(E) (1) The court of common pleas may determine that, for  
the efficient operation of the court, additional funds are  
necessary to acquire and pay for special projects of the court,  
including, but not limited to, the acquisition of additional  
facilities or the rehabilitation of existing facilities, the  
acquisition of equipment, the hiring and training of staff,  
community service programs, mediation or dispute resolution  
services, the employment of magistrates, the training and  
education of judges, acting judges, and magistrates, and other  
related services. Upon that determination, the court by rule may  
charge a fee, in addition to all other court costs, on the  
filing of each criminal cause, civil action or proceeding, or  
judgment by confession.

If the court of common pleas offers or requires a special  
program or additional services in cases of a specific type, the  
court by rule may assess an additional charge in a case of that  
type, over and above court costs, to cover the special program  
or service. The court shall adjust the special assessment

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periodically, but not retroactively, so that the amount assessed 1694  
in those cases does not exceed the actual cost of providing the 1695  
service or program. 1696

All moneys collected under division (E) of this section 1697  
shall be paid to the county treasurer for deposit into either a 1698  
general special projects fund or a fund established for a 1699  
specific special project. Moneys from a fund of that nature 1700  
shall be disbursed upon an order of the court, subject to an 1701  
appropriation by the board of county commissioners, in an amount 1702  
no greater than the actual cost to the court of a project. If a 1703  
specific fund is terminated because of the discontinuance of a 1704  
program or service established under division (E) of this 1705  
section, the court may order, subject to an appropriation by the 1706  
board of county commissioners, that moneys remaining in the fund 1707  
be transferred to an account established under this division for 1708  
a similar purpose. 1709

(2) As used in division (E) of this section: 1710

(a) "Criminal cause" means a charge alleging the violation 1711  
of a statute or ordinance, or subsection of a statute or 1712  
ordinance, that requires a separate finding of fact or a 1713  
separate plea before disposition and of which the defendant may 1714  
be found guilty, whether filed as part of a multiple charge on a 1715  
single summons, citation, or complaint or as a separate charge 1716  
on a single summons, citation, or complaint. "Criminal cause" 1717  
does not include separate violations of the same statute or 1718  
ordinance, or subsection of the same statute or ordinance, 1719  
unless each charge is filed on a separate summons, citation, or 1720  
complaint. 1721

(b) "Civil action or proceeding" means any civil 1722  
litigation that must be determined by judgment entry. 1723

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**Sec. 2505.02.** (A) As used in this section: 1724

(1) "Substantial right" means a right that the United 1725  
States Constitution, the Ohio Constitution, a statute, the 1726  
common law, or a rule of procedure entitles a person to enforce 1727  
or protect. 1728

(2) "Special proceeding" means an action or proceeding 1729  
that is specially created by statute and that prior to 1853 was 1730  
not denoted as an action at law or a suit in equity. 1731

(3) "Provisional remedy" means a proceeding ancillary to 1732  
an action, including, but not limited to, a proceeding for a 1733  
preliminary injunction, attachment, discovery of privileged 1734  
matter, suppression of evidence, a prima-facie showing pursuant 1735  
to section 2307.85 or 2307.86 of the Revised Code, a prima-facie 1736  
showing pursuant to section 2307.92 of the Revised Code, or a 1737  
finding made pursuant to division (A) (3) of section 2307.93 of 1738  
the Revised Code. 1739

(B) An order is a final order that may be reviewed, 1740  
affirmed, modified, or reversed, with or without retrial, when 1741  
it is one of the following: 1742

(1) An order that affects a substantial right in an action 1743  
that in effect determines the action and prevents a judgment; 1744

(2) An order that affects a substantial right made in a 1745  
special proceeding or upon a summary application in an action 1746  
after judgment; 1747

(3) An order that vacates or sets aside a judgment or 1748  
grants a new trial; 1749

(4) An order that grants or denies a provisional remedy 1750  
and to which both of the following apply: 1751

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(a) The order in effect determines the action with respect 1752  
to the provisional remedy and prevents a judgment in the action 1753  
in favor of the appealing party with respect to the provisional 1754  
remedy. 1755

(b) The appealing party would not be afforded a meaningful 1756  
or effective remedy by an appeal following final judgment as to 1757  
all proceedings, issues, claims, and parties in the action. 1758

(5) An order that determines that an action may or may not 1759  
be maintained as a class action; 1760

(6) An order determining the constitutionality of any 1761  
changes to the Revised Code made by Am. Sub. S.B. 281 of the 1762  
124th general assembly, including the amendment of sections 1763  
1751.67, 2117.06, 2305.11, 2305.15, 2305.234, 2317.02, 2317.54, 1764  
2323.56, 2711.21, 2711.22, 2711.23, 2711.24, 2743.02, 2743.43, 1765  
2919.16, 3923.63, 3923.64, 4705.15, and 5111.018 (renumbered as 1766  
5164.07 by H.B. 59 of the 130th general assembly), and the 1767  
enactment of sections 2305.113, 2323.41, 2323.43, and 2323.55 of 1768  
the Revised Code or any changes made by Sub. S.B. 80 of the 1769  
125th general assembly, including the amendment of sections 1770  
2125.02, 2305.10, 2305.131, 2315.18, 2315.19, and 2315.21 of the 1771  
Revised Code; 1772

(7) An order in an appropriation proceeding that may be 1773  
appealed pursuant to division (B) (3) of section 163.09 of the 1774  
Revised Code; 1775

(8) An order restraining or restricting enforcement, in 1776  
whole or in part, facially or as applied, of any state statute 1777  
or regulation, including, but not limited, to orders in the form 1778  
of injunctions, declaratory judgments, or writs. 1779

(C) When a court issues an order that vacates or sets 1780

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aside a judgment or grants a new trial, the court, upon the 1781  
request of either party, shall state in the order the grounds 1782  
upon which the new trial is granted or the judgment vacated or 1783  
set aside. 1784

(D) This section applies to and governs any action, 1785  
including an appeal, that is pending in any court on July 22, 1786  
1998, and all claims filed or actions commenced on or after July 1787  
22, 1998, notwithstanding any provision of any prior statute or 1788  
rule of law of this state. 1789

**Sec. 2929.20.** (A) As used in this section: 1790

(1) (a) Except as provided in division (A) (1) (b) of this 1791  
section, "eligible offender" means any person who, on or after 1792  
April 7, 2009, is serving a stated prison term that includes one 1793  
or more nonmandatory prison terms. A person may be an eligible 1794  
offender and also may be an eighty per cent-qualifying offender 1795  
or, during a declared state of emergency, a state of emergency- 1796  
qualifying offender. 1797

(b) "Eligible offender" does not include any person who, 1798  
on or after April 7, 2009, is serving a stated prison term for 1799  
any of the following criminal offenses that was a felony and was 1800  
committed while the person held a public office in this state: 1801

(i) A violation of section 2921.02, 2921.03, 2921.05, 1802  
2921.31, 2921.32, 2921.41, 2921.42, or 2923.32 of the Revised 1803  
Code; 1804

(ii) A violation of section 2913.42, 2921.04, 2921.11, or 1805  
2921.12 of the Revised Code, when the conduct constituting the 1806  
violation was related to the duties of the offender's public 1807  
office or to the offender's actions as a public official holding 1808  
that public office; 1809



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(iii) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A) (1) (b) (i) of this section;

(iv) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A) (1) (b) (ii) of this section, when the conduct constituting the violation was related to the duties of the offender's public office or to the offender's actions as a public official holding that public office;

(v) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A) (1) (b) (i) or described in division (A) (1) (b) (iii) of this section;

(vi) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A) (1) (b) (ii) or described in division (A) (1) (b) (iv) of this section, if the conduct constituting the offense that was the subject of the conspiracy, that would have constituted the offense attempted, or constituting the offense in which the offender was complicit was or would have been related to the duties of the offender's public office or to the offender's actions as a public official holding that public office.

(2) "State of emergency-qualifying offender" means any inmate to whom all of the following apply:

(a) The inmate is serving a stated prison term during a state of emergency that is declared by the governor as a direct response to a pandemic or public health emergency.

(b) The geographical area covered by the declared state of

emergency includes the location at which the inmate is serving 1839  
the stated prison term described in division (A) (2) (a) of this 1840  
section. 1841

(c) There is a direct nexus between the emergency that is 1842  
the basis of the governor's declaration of the state of 1843  
emergency and the circumstances of, and need for release of, the 1844  
inmate. 1845

(3) (a) "Eighty per cent-qualifying offender" means an 1846  
offender who is serving a stated prison term of one year or 1847  
more, on or after April 4, 2023, who has commenced service of 1848  
that stated prison term, who is not serving a stated prison term 1849  
that includes a disqualifying prison term or a stated prison 1850  
term that consists solely of one or more restricting prison 1851  
terms, and to whom either of the following applies: 1852

(i) If the offender is serving a stated prison term of one 1853  
year or more that includes one or more restricting prison terms 1854  
and one or more eligible prison terms, the offender has fully 1855  
served all restricting prison terms and has served eighty per 1856  
cent of that stated prison term that remains to be served after 1857  
all restricting prison terms have been fully served. 1858

(ii) If the offender is serving a stated prison term of 1859  
one year or more that consists solely of one or more eligible 1860  
prison terms, the offender has served eighty per cent of that 1861  
stated prison term. 1862

(b) For purposes of determining whether an offender is an 1863  
eighty per cent-qualifying offender under division (A) (3) (a) of 1864  
this section: 1865

(i) If the offender's stated prison term includes 1866  
consecutive prison terms, any restricting prison terms shall be 1867

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deemed served prior to any eligible prison terms that run 1868  
consecutively to the restricting prison terms, and the eligible 1869  
prison terms are deemed to commence after all of the restricting 1870  
prison terms have been fully served. 1871

(ii) An offender serving a stated prison term of one year 1872  
or more that includes a mandatory prison term that is not a 1873  
disqualifying prison term and is not a restricting prison term 1874  
is not automatically disqualified from being an eighty per cent- 1875  
qualifying offender as a result of the offender's service of 1876  
that mandatory term for release from prison under this section, 1877  
and the offender may be eligible for release from prison in 1878  
accordance with this division and division (O) of this section. 1879

(4) "Nonmandatory prison term" means a prison term that is 1880  
not a mandatory prison term. 1881

(5) "Public office" means any elected federal, state, or 1882  
local government office in this state. 1883

(6) "Victim's representative" has the same meaning as in 1884  
section 2930.01 of the Revised Code. 1885

(7) "Imminent danger of death," "medically incapacitated," 1886  
and "terminal illness" have the same meanings as in section 1887  
2967.05 of the Revised Code. 1888

(8) "Aggregated nonmandatory prison term or terms" means 1889  
the aggregate of the following: 1890

(a) All nonmandatory definite prison terms; 1891

(b) With respect to any non-life felony indefinite prison 1892  
term, all nonmandatory minimum prison terms imposed as part of 1893  
the non-life felony indefinite prison term or terms. 1894

(9) "Deadly weapon" and "dangerous ordnance" have the same 1895

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meanings as in section 2923.11 of the Revised Code. 1896

(10) "Disqualifying prison term" means any of the 1897  
 following: 1898

(a) A prison term imposed for aggravated murder, murder, 1899  
 voluntary manslaughter, involuntary manslaughter, felonious 1900  
 assault, kidnapping, rape, aggravated arson, aggravated 1901  
 burglary, or aggravated robbery; 1902

(b) A prison term imposed for complicity in, an attempt to 1903  
 commit, or conspiracy to commit any offense listed in division 1904  
 (A) (10) (a) of this section; 1905

(c) A prison term of life imprisonment, including any term 1906  
 of life imprisonment that has parole eligibility; 1907

(d) A prison term imposed for any felony other than 1908  
 carrying a concealed weapon an essential element of which is any 1909  
 conduct or failure to act expressly involving any deadly weapon 1910  
 or dangerous ordnance; 1911

(e) A prison term imposed for any violation of section 1912  
 2925.03 of the Revised Code that is a felony of the first or 1913  
 second degree; 1914

(f) A prison term imposed for engaging in a pattern of 1915  
 corrupt activity in violation of section 2923.32 of the Revised 1916  
 Code; 1917

(g) A prison term imposed pursuant to section 2971.03 of 1918  
 the Revised Code; 1919

(h) A prison term imposed for any sexually oriented 1920  
 offense. 1921

(11) "Eligible prison term" means any prison term that is 1922

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not a disqualifying prison term and is not a restricting prison 1923  
term. 1924

(12) "Restricting prison term" means any of the following: 1925

(a) A mandatory prison term imposed under division (B) (1) 1926  
(a), (B) (1) (c), (B) (1) (f), (B) (1) (g), (B) (2), or (B) (7) of 1927  
section 2929.14 of the Revised Code for a specification of the 1928  
type described in that division; 1929

(b) In the case of an offender who has been sentenced to a 1930  
mandatory prison term for a specification of the type described 1931  
in division (A) (12) (a) of this section, the prison term imposed 1932  
for the felony offense for which the specification was stated at 1933  
the end of the body of the indictment, count in the indictment, 1934  
or information charging the offense; 1935

(c) A prison term imposed for trafficking in persons; 1936

(d) A prison term imposed for any offense that is 1937  
described in division (A) (12) (d) (i) of this section if division 1938  
(A) (12) (d) (ii) of this section applies to the offender: 1939

(i) The offense is a felony of the first or second degree 1940  
that is an offense of violence and that is not described in 1941  
division (A) (10) (a) or (b) of this section, an attempt to commit 1942  
a felony of the first or second degree that is an offense of 1943  
violence and that is not described in division (A) (10) (a) or (b) 1944  
of this section if the attempt is a felony of the first or 1945  
second degree, or an offense under an existing or former law of 1946  
this state, another state, or the United States that is or was 1947  
substantially equivalent to any other offense described in this 1948  
division. 1949

(ii) The offender previously was convicted of or pleaded 1950  
guilty to any offense listed in division (A) (10) or (A) (12) (d) 1951

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(i) of this section. 1952

(13) "Sexually oriented offense" has the same meaning as 1953  
in section 2950.01 of the Revised Code. 1954

(14) "Stated prison term of one year or more" means a 1955  
definite prison term of one year or more imposed as a stated 1956  
prison term, or a minimum prison term of one year or more 1957  
imposed as part of a stated prison term that is a non-life 1958  
felony indefinite prison term. 1959

(B) On the motion of an eligible offender, on the motion 1960  
of a state of emergency-qualifying offender made during the 1961  
declared state of emergency, or on its own motion with respect 1962  
to an eligible offender or with respect to a state of emergency- 1963  
qualifying offender during the declared state of emergency, the 1964  
sentencing court may reduce the offender's aggregated 1965  
nonmandatory prison term or terms through a judicial release 1966  
under this section. 1967

(C) (1) Subject to division (C) (2) of this section, an 1968  
eligible offender may file a motion for judicial release with 1969  
the sentencing court, or a state of emergency-qualifying 1970  
offender may file a motion for judicial release with the 1971  
sentencing court during the declared state of emergency, within 1972  
the following applicable periods: 1973

(a) If the aggregated nonmandatory prison term or terms is 1974  
less than two years, the eligible offender or state of 1975  
emergency-qualifying offender may file the motion at any time 1976  
after the offender is delivered to a state correctional 1977  
institution or, if the prison term includes a mandatory prison 1978  
term or terms, at any time after the expiration of all mandatory 1979  
prison terms. 1980

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(b) If the aggregated nonmandatory prison term or terms is 1981  
at least two years but less than five years, the eligible 1982  
offender or state of emergency-qualifying offender may file the 1983  
motion not earlier than one hundred eighty days after the 1984  
offender is delivered to a state correctional institution or, if 1985  
the prison term includes a mandatory prison term or terms, not 1986  
earlier than one hundred eighty days after the expiration of all 1987  
mandatory prison terms. 1988

(c) If the aggregated nonmandatory prison term or terms is 1989  
five years, the eligible offender or state of emergency- 1990  
qualifying offender may file the motion not earlier than the 1991  
date on which the offender has served four years of the 1992  
offender's stated prison term or, if the prison term includes a 1993  
mandatory prison term or terms, not earlier than four years 1994  
after the expiration of all mandatory prison terms. 1995

(d) If the aggregated nonmandatory prison term or terms is 1996  
more than five years but not more than ten years, the eligible 1997  
offender or state of emergency-qualifying offender may file the 1998  
motion not earlier than the date on which the offender has 1999  
served five years of the offender's stated prison term or, if 2000  
the prison term includes a mandatory prison term or terms, not 2001  
earlier than five years after the expiration of all mandatory 2002  
prison terms. 2003

(e) If the aggregated nonmandatory prison term or terms is 2004  
more than ten years, the eligible offender or state of 2005  
emergency-qualifying offender may file the motion not earlier 2006  
than the later of the date on which the offender has served one- 2007  
half of the offender's stated prison term or the date specified 2008  
in division (C) (1) (d) of this section. 2009

(f) With respect to a state of emergency-qualifying 2010

offender, if the offender's prison term does not include a 2011  
mandatory prison term or terms, or if the offender's prison term 2012  
includes one or more mandatory prison terms and the offender has 2013  
completed the mandatory prison term or terms, the state of 2014  
emergency-qualifying offender may file the motion at any time 2015  
during the offender's aggregated nonmandatory prison term or 2016  
terms, provided that time also is during the declared state of 2017  
emergency. 2018

(2) During any single declared state of emergency, a state 2019  
of emergency-qualifying offender may only file a motion for 2020  
judicial release as a state of emergency-qualifying offender 2021  
with the sentencing court during that declared state of 2022  
emergency once every six months. 2023

(D) (1) (a) Upon receipt of a timely motion for judicial 2024  
release filed by an eligible offender or a state of emergency- 2025  
qualifying offender under division (C) of this section, or upon 2026  
the sentencing court's own motion made within the appropriate 2027  
time specified in that division, the court may deny the motion 2028  
without a hearing or schedule a hearing on the motion. The court 2029  
may grant the motion without a hearing for an offender under 2030  
consideration for judicial release as a state of emergency- 2031  
qualifying offender, but the court shall not grant the motion 2032  
without a hearing for an offender under consideration as an 2033  
eligible offender. If a court denies a motion without a hearing, 2034  
the court later may consider judicial release for that eligible 2035  
offender or that state of emergency-qualifying offender on a 2036  
subsequent motion. For an offender under consideration for 2037  
judicial release as an eligible offender, but not for one under 2038  
consideration as a state of emergency-qualifying offender, the 2039  
court may deny the motion with prejudice. If a court denies a 2040  
motion with prejudice, the court may later consider judicial 2041



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release on its own motion. For an offender under consideration 2042  
for judicial release as a state of emergency-qualifying 2043  
offender, the court shall not deny a motion with prejudice. For 2044  
an offender under consideration for judicial release as an 2045  
eligible offender, but not for one under consideration as a 2046  
state of emergency-qualifying offender, if a court denies a 2047  
motion after a hearing, the court shall not consider a 2048  
subsequent motion for that offender based on the offender's 2049  
classification as an eligible offender. The court may hold 2050  
multiple hearings for any offender under consideration for 2051  
judicial release as a state of emergency-qualifying offender, 2052  
but shall hold only one hearing for any offender under 2053  
consideration as an eligible offender. 2054

(b) If an offender is under consideration for judicial 2055  
release as an eligible offender and the motion is denied, and if 2056  
the offender at that time also is or subsequently becomes a 2057  
state of emergency-qualifying offender, the denial does not 2058  
limit or affect any right of the offender to file a motion under 2059  
this section for consideration for judicial release as a state 2060  
of emergency-qualifying offender or for the court on its own 2061  
motion to consider the offender for judicial release as a state 2062  
of emergency-qualifying offender. 2063

If an offender is under consideration for judicial release 2064  
as a state of emergency-qualifying offender and the motion is 2065  
denied, and if the offender at that time also is or subsequently 2066  
becomes an eligible offender, the denial does not limit or 2067  
affect any right of the offender to file a motion under this 2068  
section for consideration for judicial release as an eligible 2069  
offender or for the court on its own motion to consider the 2070  
offender for judicial release as an eligible offender. 2071

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(2) (a) With respect to a motion for judicial release filed 2072  
by an offender as an eligible offender or made by the court on 2073  
its own motion for an offender as an eligible offender, a 2074  
hearing under this section shall be conducted in open court not 2075  
less than thirty or more than sixty days after the motion is 2076  
filed, provided that the court may delay the hearing for one 2077  
hundred eighty additional days. If the court holds a hearing, 2078  
the court shall enter a ruling on the motion within ten days 2079  
after the hearing. If the court denies the motion without a 2080  
hearing, the court shall enter its ruling on the motion within 2081  
sixty days after the motion is filed. 2082

(b) With respect to a motion for judicial release filed by 2083  
an offender as a state of emergency-qualifying offender or made 2084  
by the court on its own motion for an offender as a state of 2085  
emergency-qualifying offender, the court shall notify the 2086  
prosecuting attorney of the county in which the offender was 2087  
indicted and may order the prosecuting attorney to respond to 2088  
the motion in writing within ten days. The prosecuting attorney 2089  
shall notify the victim pursuant to the Ohio Constitution. The 2090  
prosecuting attorney shall include in the response any statement 2091  
that the victim wants to be represented to the court. The court 2092  
shall consider any response from the prosecuting attorney and 2093  
any statement from the victim in its ruling on the motion. After 2094  
receiving the response from the prosecuting attorney, the court 2095  
either shall order a hearing consistent with divisions (E) to 2096  
(I) of this section as soon as possible, or shall enter its 2097  
ruling on the motion for judicial release as soon as possible. 2098  
If the court conducts a hearing, the hearing shall be conducted 2099  
in open court or by a virtual, telephonic, or other form of 2100  
remote hearing. If the court holds a hearing, the court shall 2101  
enter a ruling on the motion within ten days after the hearing. 2102

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If the court denies the motion without a hearing, the court 2103  
shall enter its ruling on the motion within ten days after the 2104  
motion is filed or after it receives the response from the 2105  
prosecuting attorney. 2106

(E) If a court schedules a hearing under divisions (D) (1) 2107  
and (2) (a) of this section or under divisions (D) (1) and (2) (b) 2108  
of this section, the court shall notify the subject eligible 2109  
offender or state of emergency-qualifying offender and the head 2110  
of the state correctional institution in which that subject 2111  
offender is confined prior to the hearing. The head of the state 2112  
correctional institution immediately shall notify the 2113  
appropriate person at the department of rehabilitation and 2114  
correction of the hearing, and the department within twenty-four 2115  
hours after receipt of the notice, shall post on the database it 2116  
maintains pursuant to section 5120.66 of the Revised Code the 2117  
subject offender's name and all of the information specified in 2118  
division (A) (1) (c) (i) of that section. If the court schedules a 2119  
hearing for judicial release, the court promptly shall give 2120  
notice of the hearing to the prosecuting attorney of the county 2121  
in which the subject eligible offender or state of emergency- 2122  
qualifying offender was indicted. Upon receipt of the notice 2123  
from the court, the prosecuting attorney shall do whichever of 2124  
the following is applicable: 2125

(1) Subject to division (E) (2) of this section, notify the 2126  
victim of the offense and the victim's representative, if 2127  
applicable, pursuant to the Ohio Constitution and division (B) 2128  
of section 2930.16 of the Revised Code; 2129

(2) If the offense was an offense of violence that is a 2130  
felony of the first, second, or third degree, except as 2131  
otherwise provided in this division, pursuant to the Ohio 2132

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Constitution, notify the victim and the victim's representative, 2133  
if applicable, of the hearing regardless of whether the victim 2134  
or victim's representative has requested the notification. 2135  
Except when notice to the victim is required under the Ohio 2136  
Constitution, the notice of the hearing shall not be given under 2137  
this division to a victim or victim's representative if the 2138  
victim or victim's representative has requested pursuant to 2139  
division (B) (2) of section 2930.03 of the Revised Code that the 2140  
victim or the victim's representative not be provided the 2141  
notice. If notice is to be provided to a victim or victim's 2142  
representative under this division, the prosecuting attorney may 2143  
give the notice by any reasonable means, including regular mail, 2144  
telephone, and electronic mail, in accordance with division (D) 2145  
(1) of section 2930.16 of the Revised Code. If the notice is 2146  
based on an offense committed prior to March 22, 2013, the 2147  
notice also shall include the opt-out information described in 2148  
division (D) (1) of section 2930.16 of the Revised Code. The 2149  
prosecuting attorney, in accordance with division (D) (2) of 2150  
section 2930.16 of the Revised Code, shall keep a record of all 2151  
attempts to provide the notice, and of all notices provided, 2152  
under this division. Division (E) (2) of this section, and the 2153  
notice-related provisions of division (K) of this section, 2154  
division (D) (1) of section 2930.16, division (H) of section 2155  
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2156  
prior to April 4, 2023, division (A) (3) (b) of section 2967.26, 2157  
division (D) (1) of section 2967.28, and division (A) (2) of 2158  
section 5149.101 of the Revised Code enacted in the act in which 2159  
division (E) (2) of this section was enacted, shall be known as 2160  
"Roberta's Law." 2161

(F) Upon an offender's successful completion of 2162  
rehabilitative activities, the head of the state correctional 2163

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institution may notify the sentencing court of the successful 2164  
completion of the activities. 2165

(G) Prior to the date of the hearing on a motion for 2166  
judicial release made by an eligible offender, by a state of 2167  
emergency-qualifying offender, or by a court on its own under 2168  
this section, the head of the state correctional institution in 2169  
which the subject offender is confined shall send to the court 2170  
an institutional summary report on the offender's conduct in the 2171  
institution and in any institution from which the offender may 2172  
have been transferred. Upon the request of the prosecuting 2173  
attorney of the county in which the subject offender was 2174  
indicted or of any law enforcement agency, the head of the state 2175  
correctional institution, at the same time the person sends the 2176  
institutional summary report to the court, also shall send a 2177  
copy of the report to the requesting prosecuting attorney and 2178  
law enforcement agencies. The institutional summary report shall 2179  
cover the subject offender's participation in school, vocational 2180  
training, work, treatment, and other rehabilitative activities 2181  
and any disciplinary action taken against the subject offender. 2182  
The report shall be made part of the record of the hearing. A 2183  
presentence investigation report is not required for judicial 2184  
release. 2185

(H) If the court grants a hearing on a motion for judicial 2186  
release made by an eligible offender, by a state of emergency- 2187  
qualifying offender, or by a court on its own under this 2188  
section, the subject offender shall attend the hearing if 2189  
ordered to do so by the court. Upon receipt of a copy of the 2190  
journal entry containing the order, the head of the state 2191  
correctional institution in which the subject offender is 2192  
incarcerated shall deliver the subject offender to the sheriff 2193  
of the county in which the hearing is to be held. The sheriff 2194

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shall convey the subject offender to and from the hearing.

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(I) At the hearing on a motion for judicial release under this section made by an eligible offender, by a state of emergency-qualifying offender, or by a court on its own, the court shall afford the subject offender and the offender's attorney an opportunity to present written and, if present, oral information relevant to the motion. The court shall afford a similar opportunity to the prosecuting attorney, the victim, the victim's representative, the victim's attorney, if applicable, and any other person the court determines is likely to present additional relevant information. The court shall consider any oral or written statement of a victim, victim's representative, and victim's attorney, if applicable, made pursuant to section 2930.14 or 2930.17 of the Revised Code, any victim impact statement prepared pursuant to section 2947.051 of the Revised Code, and any report made under division (G) of this section. The court may consider any written statement of any person submitted to the court pursuant to division (L) of this section.

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If the motion alleges that the offender who is the subject of the motion is an eligible offender and the court makes an initial determination that the offender satisfies the criteria for being an eligible offender, or if the motion alleges that the offender who is the subject of the motion is a state of emergency-qualifying offender and the court makes an initial determination that the offender satisfies the criteria for being a state of emergency-qualifying offender, the court shall determine whether to grant the motion. After ruling on the motion, the court shall notify the prosecuting attorney of the county in which the eligible offender or state of emergency-qualifying offender was indicted of the ruling, and the prosecuting attorney shall notify the victim and the victim's

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representative of the ruling in accordance with sections 2930.03 2226  
and 2930.16 of the Revised Code or, if the court granted the 2227  
motion, in accordance with division (K) of this section. 2228

(J) (1) A court shall not grant a judicial release under 2229  
this section to an offender who is imprisoned for a felony of 2230  
the first or second degree and who is under consideration as an 2231  
eligible offender, or to an offender who committed an offense 2232  
under Chapter 2925. or 3719. of the Revised Code, who is under 2233  
consideration as an eligible offender, and for whom there was a 2234  
presumption under section 2929.13 of the Revised Code in favor 2235  
of a prison term, unless the court, with reference to factors 2236  
under section 2929.12 of the Revised Code, finds both of the 2237  
following: 2238

(a) That a sanction other than a prison term would 2239  
adequately punish the offender and protect the public from 2240  
future criminal violations by the offender because the 2241  
applicable factors indicating a lesser likelihood of recidivism 2242  
outweigh the applicable factors indicating a greater likelihood 2243  
of recidivism; 2244

(b) That a sanction other than a prison term would not 2245  
demean the seriousness of the offense because factors indicating 2246  
that the offender's conduct in committing the offense was less 2247  
serious than conduct normally constituting the offense outweigh 2248  
factors indicating that the eligible offender's conduct was more 2249  
serious than conduct normally constituting the offense. 2250

(2) A court that grants a judicial release under division 2251  
(J) (1) of this section to an offender who is under consideration 2252  
as an eligible offender shall specify on the record both 2253  
findings required in that division and also shall list all the 2254  
factors described in that division that were presented at the 2255

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hearing. 2256

(3) (a) Subject to division (J) (3) (b) of this section, a 2257  
court shall grant a judicial release under this section to an 2258  
offender who is under consideration as a state of emergency- 2259  
qualifying offender if the court determines that the risks posed 2260  
by incarceration to the health and safety of the offender, 2261  
because of the nature of the declared state of emergency, 2262  
outweigh the risk to public safety if the offender were to be 2263  
released from incarceration. 2264

(b) A court shall not grant a judicial release under this 2265  
section to an offender who is imprisoned for a felony of the 2266  
first or second degree and is under consideration for judicial 2267  
release as a state of emergency-qualifying offender unless the 2268  
court, with reference to the factors specified under section 2269  
2929.12 of the Revised Code, finds both of the criteria set 2270  
forth in divisions (J) (1) (a) and (b) of this section. 2271

(K) If the court grants a motion for judicial release 2272  
under this section, the court shall order the release of the 2273  
eligible offender or state of emergency-qualifying offender, 2274  
shall place the offender under an appropriate community control 2275  
sanction, under appropriate conditions, and under the 2276  
supervision of the department of probation serving the court and 2277  
shall reserve the right to reimpose the sentence that it reduced 2278  
if the offender violates the sanction. If the court reimposes 2279  
the reduced sentence, it may do so either concurrently with, or 2280  
consecutive to, any new sentence imposed on the eligible 2281  
offender or state of emergency-qualifying offender as a result 2282  
of the violation that is a new offense. Except as provided in 2283  
division (N) (5) (b) of this section, the period of community 2284  
control shall be no longer than five years. The court, in its 2285



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discretion, may reduce the period of community control by the 2286  
amount of time the offender spent in jail or prison for the 2287  
offense and in prison. If the court made any findings pursuant 2288  
to division (J) (1) of this section, the court shall serve a copy 2289  
of the findings upon counsel for the parties within fifteen days 2290  
after the date on which the court grants the motion for judicial 2291  
release. 2292

If the court grants a motion for judicial release, the 2293  
court shall notify the appropriate person at the department of 2294  
rehabilitation and correction, and the department shall post 2295  
notice of the release on the database it maintains pursuant to 2296  
section 5120.66 of the Revised Code. The court also shall notify 2297  
the prosecuting attorney of the county in which the eligible 2298  
offender or state of emergency-qualifying offender was indicted 2299  
that the motion has been granted. When notice to the victim is 2300  
required under the Ohio Constitution, the prosecuting attorney 2301  
shall notify the victim and the victim's representative, if 2302  
applicable, of the judicial release. In all other cases, unless 2303  
the victim or the victim's representative has requested pursuant 2304  
to division (B) (2) of section 2930.03 of the Revised Code that 2305  
the victim or victim's representative not be provided the 2306  
notice, the prosecuting attorney shall notify the victim and the 2307  
victim's representative, if applicable, of the judicial release 2308  
in any manner, and in accordance with the same procedures, 2309  
pursuant to which the prosecuting attorney is authorized to 2310  
provide notice of the hearing pursuant to division (E) (2) of 2311  
this section. If the notice is based on an offense committed 2312  
prior to March 22, 2013, the notice to the victim or victim's 2313  
representative also shall include the opt-out information 2314  
described in division (D) (1) of section 2930.16 of the Revised 2315  
Code. 2316

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(L) In addition to and independent of the right of a 2317  
victim to make a statement pursuant to section 2930.14, 2930.17, 2318  
or 2946.051 of the Revised Code and any right of a person to 2319  
present written information or make a statement pursuant to 2320  
division (I) of this section, any person may submit to the 2321  
court, at any time prior to the hearing on the motion for 2322  
judicial release of the eligible offender or state of emergency- 2323  
qualifying offender, a written statement concerning the effects 2324  
of the offender's criminal offense, the circumstances 2325  
surrounding the criminal offense, the manner in which the 2326  
criminal offense was perpetrated, and the person's opinion as to 2327  
whether the offender should be released. 2328

(M) (1) The changes to this section that are made on 2329  
September 30, 2011, apply to any judicial release decision made 2330  
on or after September 30, 2011, for any eligible offender, 2331  
subject to division (M) (2) of this section. 2332

(2) The changes to this section that are made on April 4, 2333  
2023, apply to any judicial release application, and any 2334  
judicial release decision, made on or after April 4, 2023, for 2335  
any eligible offender or state of emergency-qualifying offender. 2336

(N) (1) Notwithstanding the eligibility requirements 2337  
specified in divisions (A) (1) and (2) of this section and the 2338  
filing time frames specified in division (C) of this section and 2339  
notwithstanding the findings required under division (J) (1) and 2340  
the eligibility criteria specified in division (J) (3) of this 2341  
section, the sentencing court, upon the court's own motion and 2342  
after considering whether the release of the offender into 2343  
society would create undue risk to public safety, may grant a 2344  
judicial release to an offender who is not serving a life 2345  
sentence at any time during the offender's imposed sentence when 2346

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the director of rehabilitation and correction certifies to the 2347  
sentencing court through the chief medical officer for the 2348  
department of rehabilitation and correction that the offender is 2349  
in imminent danger of death, is medically incapacitated, or has 2350  
a terminal illness. 2351

(2) The director of rehabilitation and correction shall 2352  
not certify any offender under division (N)(1) of this section 2353  
who is serving a death sentence. 2354

(3) A motion made by the court under division (N)(1) of 2355  
this section is subject to the notice, hearing, and other 2356  
procedural requirements specified in divisions (D), (E), (G), 2357  
(H), (I), (K), and (L) of this section with respect to motions 2358  
for a grant of judicial release to eligible offenders, including 2359  
notice to the victim, except for the following: 2360

(a) The court may waive the offender's appearance at any 2361  
hearing scheduled by the court if the offender's condition makes 2362  
it impossible for the offender to participate meaningfully in 2363  
the proceeding. 2364

(b) The court may grant the motion without a hearing, 2365  
provided that the prosecuting attorney, victim, and victim's 2366  
representative, if applicable, to whom notice of the hearing was 2367  
provided under division (E) of this section indicate that they 2368  
do not wish to participate in the hearing or present information 2369  
relevant to the motion. 2370

(4) The court may request health care records from the 2371  
department of rehabilitation and correction to verify the 2372  
certification made under division (N)(1) of this section. 2373

(5) (a) If the court grants judicial release under division 2374  
(N)(1) of this section, the court shall do all of the following: 2375

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(i) Order the release of the offender; 2376

(ii) Place the offender under an appropriate community 2377  
control sanction, under appropriate conditions; 2378

(iii) Place the offender under the supervision of the 2379  
department of probation serving the court or under the 2380  
supervision of the adult parole authority. 2381

(b) The court, in its discretion, may revoke the judicial 2382  
release if the offender violates the community control sanction 2383  
described in division (N)(5)(a) of this section. The period of 2384  
that community control is not subject to the five-year 2385  
limitation described in division (K) of this section and shall 2386  
not expire earlier than the date on which all of the offender's 2387  
mandatory prison terms expire. 2388

(6) If the health of an offender who is released under 2389  
division (N)(1) of this section improves so that the offender is 2390  
no longer terminally ill, medically incapacitated, or in 2391  
imminent danger of death, the court shall, upon the court's own 2392  
motion, revoke the judicial release. The court shall not grant 2393  
the motion without a hearing unless the offender waives a 2394  
hearing. If a hearing is held, the court shall afford the 2395  
offender and the offender's attorney an opportunity to present 2396  
written and, if the offender or the offender's attorney is 2397  
present, oral information relevant to the motion. The court 2398  
shall afford a similar opportunity to the prosecuting attorney, 2399  
the victim, the victim's representative, the victim's attorney, 2400  
if applicable, and any other person the court determines is 2401  
likely to present additional relevant information. If a hearing 2402  
is held, the prosecuting attorney shall notify the victim and 2403  
the victim's representative, if applicable, pursuant to the Ohio 2404  
Constitution. A court that grants a motion under this division 2405

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shall specify its findings on the record.

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(O) (1) Separate from and independent of the provisions of divisions (A) to (N) of this section, the director of the department of rehabilitation and correction may recommend in writing to the sentencing court that the court consider releasing from prison, through a judicial release, any offender who is confined in a state correctional institution and who is an eighty per cent-qualifying offender. The director may file such a recommendation for judicial release by submitting to the sentencing court a notice, in writing, of the recommendation within the applicable period specified in division (A) (3) of this section for qualifying as an eighty per cent-qualifying offender.

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The director shall include with any notice submitted to the sentencing court under this division an institutional summary report that covers the offender's participation while confined in a state correctional institution in school, training, work, treatment, and other rehabilitative activities and any disciplinary action taken against the offender while so confined. The director shall include with the notice any other documentation requested by the court, if available.

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If the director submits a notice under this division recommending judicial release, the department promptly shall provide to the prosecuting attorney of the county in which the offender was indicted a copy of the written notice and recommendation, a copy of the institutional summary report, and any other information provided to the court, and shall provide a copy of the institutional summary report to any law enforcement agency that requests the report. The department also shall provide written notice of the submission of the director's

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notice to any victim of the offender or victim's representative, 2436  
if applicable, in the same manner as is specified in divisions 2437  
(E) (1) and (2) of this section with respect to notices of 2438  
hearings. 2439

(2) A recommendation for judicial release in a notice 2440  
submitted by the director under division (O) (1) of this section 2441  
is subject to the notice, hearing, and other procedural 2442  
requirements specified in divisions (E), (H), (I), and (L) of 2443  
this section, including notice to the victim pursuant to the 2444  
Ohio Constitution, except as otherwise specified in divisions 2445  
(O) (3) to (5) of this section, provided that references in 2446  
divisions (E), (H), (I), (K), and (L) of this section to "the 2447  
motion" shall be construed for purposes of division (O) of this 2448  
section as being references to the notice and recommendation 2449  
specified in division (O) (1) of this section. 2450

(3) The director's submission of a notice under division 2451  
(O) (1) of this section constitutes a recommendation by the 2452  
director that the court strongly consider a judicial release of 2453  
the offender consistent with the purposes and principles of 2454  
sentencing set forth in sections 2929.11 and 2929.13 of the 2455  
Revised Code and establishes a rebuttable presumption that the 2456  
offender shall be released through a judicial release in 2457  
accordance with the recommendation. The presumption of release 2458  
may be rebutted only as described in division (O) (6) of this 2459  
section. Only an offender recommended by the director under 2460  
division (O) (1) of this section may be considered for a judicial 2461  
release under division (O) of this section. 2462

(4) Upon receipt of a notice recommending judicial release 2463  
submitted by the director under division (O) (1) of this section, 2464  
the court shall schedule a hearing to consider the 2465

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recommendation for the judicial release of the offender who is 2466  
the subject of the notice. The hearing shall be conducted in 2467  
open court not less than thirty or more than sixty days after 2468  
the notice is submitted. The court shall inform the department 2469  
and the prosecuting attorney of the county in which the offender 2470  
who is the subject of the notice was indicted of the date, time, 2471  
and location of the hearing. Upon receipt of the notice from the 2472  
court, the prosecuting attorney shall comply with division (E) 2473  
of this section, including providing notice to the victim and 2474  
the victim's representative, if applicable, pursuant to the Ohio 2475  
Constitution, and the department shall post the information 2476  
specified in that division. 2477

(5) When a court schedules a hearing under division (O) (4) 2478  
of this section, at the hearing, the court shall consider all of 2479  
the following in determining whether to grant the offender 2480  
judicial release under division (O) of this section: 2481

(a) The institutional summary report submitted under 2482  
division (O) (1) of this section; 2483

(b) The inmate's academic, vocational education programs, 2484  
or alcohol or drug treatment programs; or involvement in 2485  
meaningful activity; 2486

(c) The inmate's assignments and whether the inmate 2487  
consistently performed each work assignment to the satisfaction 2488  
of the department staff responsible for supervising the inmate's 2489  
work; 2490

(d) The inmate transferred to and actively participated in 2491  
core curriculum programming at a reintegration center prison; 2492

(e) The inmate's disciplinary history; 2493

(f) The inmate's security level; 2494

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(g) All other information, statements, reports, and 2495  
documentation described in division (I) of this section. 2496

(6) If the court that receives a notice recommending 2497  
judicial release submitted by the director under division (O) (1) 2498  
of this section makes an initial determination that the offender 2499  
satisfies the criteria for being an eighty per cent-qualifying 2500  
offender, the court then shall determine whether to grant the 2501  
offender judicial release. In making the second determination, 2502  
the court shall grant the offender judicial release unless the 2503  
prosecuting attorney proves to the court, by a preponderance of 2504  
the evidence, that the legitimate interests of the government in 2505  
maintaining the offender's confinement outweigh the interests of 2506  
the offender in being released from that confinement. If the 2507  
court grants a judicial release under this division, division 2508  
(K) of this section applies regarding the judicial release, 2509  
including notice to the victim and the victim's representative, 2510  
if applicable, pursuant to the Ohio Constitution, provided that 2511  
references in division (K) of this section to "the motion" shall 2512  
be construed for purposes of the judicial release granted under 2513  
this division as being references to the notice and 2514  
recommendation specified in division (O) (1) of this section. 2515

The court shall enter its ruling on the notice 2516  
recommending judicial release submitted by the director under 2517  
division (O) (1) of this section within ten days after the 2518  
hearing is conducted. After ruling on whether to grant the 2519  
offender judicial release under division (O) of this section, 2520  
the court shall notify the offender, the prosecuting attorney, 2521  
and the department of rehabilitation and correction of its 2522  
decision, and shall notify the victim of its decision in 2523  
accordance with the Ohio Constitution and sections 2930.03 and 2524  
2930.16 of the Revised Code. If the court does not enter a 2525



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ruling on the notice within ten days after the hearing is 2526  
conducted as required under this division, the division of 2527  
parole and community services of the department of 2528  
rehabilitation and correction may release the offender. 2529

(P) All notices to a victim of an offense provided under 2530  
division (D), (E), (K), (N), or (O) of this section shall be 2531  
provided in accordance with the Ohio Constitution. 2532

**Sec. 2967.26.** (A) (1) The department of rehabilitation and 2533  
correction, by rule, may establish a transitional control 2534  
program for the purpose of closely monitoring a prisoner's 2535  
adjustment to community supervision during the final one hundred 2536  
eighty days of the prisoner's confinement. If the department 2537  
establishes a transitional control program under this division, 2538  
the division of parole and community services of the department 2539  
of rehabilitation and correction may transfer eligible prisoners 2540  
to transitional control status under the program during the 2541  
final one hundred eighty days of their confinement and under the 2542  
terms and conditions established by the department, shall 2543  
provide for the confinement as provided in this division of each 2544  
eligible prisoner so transferred, and shall supervise each 2545  
eligible prisoner so transferred in one or more community 2546  
control sanctions. Each eligible prisoner who is transferred to 2547  
transitional control status under the program shall be confined 2548  
in a suitable facility that is licensed pursuant to division (C) 2549  
of section 2967.14 of the Revised Code, or shall be confined in 2550  
a residence the department has approved for this purpose and be 2551  
monitored pursuant to an electronic monitoring device, as 2552  
defined in section 2929.01 of the Revised Code. If the 2553  
department establishes a transitional control program under this 2554  
division, the rules establishing the program shall include 2555  
criteria that define which prisoners are eligible for the 2556

program, criteria that must be satisfied to be approved as a  
residence that may be used for confinement under the program of  
a prisoner that is transferred to it and procedures for the  
department to approve residences that satisfy those criteria,  
and provisions of the type described in division (C) of this  
section. At a minimum, the criteria that define which prisoners  
are eligible for the program shall provide all of the following:

(a) That a prisoner is eligible for the program if the  
prisoner is serving a prison term or term of imprisonment for an  
offense committed prior to March 17, 1998, and if, at the time  
at which eligibility is being determined, the prisoner would  
have been eligible for a furlough under this section as it  
existed immediately prior to March 17, 1998, or would have been  
eligible for conditional release under former section 2967.23 of  
the Revised Code as that section existed immediately prior to  
March 17, 1998;

(b) That no prisoner who is serving a mandatory prison  
term is eligible for the program until after expiration of the  
mandatory term;

(c) That no prisoner who is serving a prison term or term  
of life imprisonment without parole imposed pursuant to section  
2971.03 of the Revised Code is eligible for the program.

(2) At least sixty days prior to transferring to  
transitional control under this section a prisoner who is  
serving a definite term of imprisonment or definite prison term  
of less than one year for an offense committed on or after July  
1, 1996, or who is serving a minimum term of less than one year  
under a non-life felony indefinite prison term, on or after  
April 4, 2023, the division of parole and community services of  
the department of rehabilitation and correction shall give

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notice of the pendency of the transfer to transitional control 2587  
to the court of common pleas of the county in which the 2588  
indictment against the prisoner was found and of the fact that 2589  
the court may disapprove the transfer of the prisoner to 2590  
transitional control and shall include the institutional summary 2591  
report prepared by the head of the state correctional 2592  
institution in which the prisoner is confined. The head of the 2593  
state correctional institution in which the prisoner is 2594  
confined, upon the request of the division of parole and 2595  
community services, shall provide to the division for inclusion 2596  
in the notice sent to the court under this division an 2597  
institutional summary report on the prisoner's conduct in the 2598  
institution and in any institution from which the prisoner may 2599  
have been transferred. The institutional summary report shall 2600  
cover the prisoner's participation in school, vocational 2601  
training, work, treatment, and other rehabilitative activities 2602  
and any disciplinary action taken against the prisoner. If the 2603  
court disapproves of the transfer of the prisoner to 2604  
transitional control, the court shall notify the division of the 2605  
disapproval within thirty days after receipt of the notice. If 2606  
the court timely disapproves the transfer of the prisoner to 2607  
transitional control, the division shall not proceed with the 2608  
transfer. If the court does not timely disapprove the transfer 2609  
of the prisoner to transitional control, the division may 2610  
transfer the prisoner to transitional control. 2611

(3) (a) If the victim of an offense for which a prisoner 2612  
was sentenced to a prison term or term of imprisonment has 2613  
requested notification under section 2930.16 of the Revised Code 2614  
and has provided the department of rehabilitation and correction 2615  
with the victim's name and address or if division (A) (3) (b) of 2616  
this section applies, the division of parole and community 2617

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services, at least sixty days prior to transferring the prisoner 2618  
to transitional control pursuant to this section, shall notify 2619  
the victim and the victim's representative, if applicable, of 2620  
the pendency of the transfer and of the victim's and victim's 2621  
representative's right to submit a statement to the division 2622  
regarding the impact of the transfer of the prisoner to 2623  
transitional control. If the victim or victim's representative's 2624  
subsequently submits a statement of that nature to the division, 2625  
the division shall consider the statement in deciding whether to 2626  
transfer the prisoner to transitional control. 2627

(b) If a prisoner is incarcerated for the commission of 2628  
aggravated murder, murder, or an offense of violence that is a 2629  
felony of the first, second, or third degree or under a sentence 2630  
of life imprisonment, except as otherwise provided in this 2631  
division, the notice described in division (A) (3) (a) of this 2632  
section shall be given regardless of whether the victim has 2633  
requested the notification. The notice described in division (A) 2634  
(3) (a) of this section shall not be given under this division to 2635  
a victim if the victim has requested pursuant to division (B) (2) 2636  
of section 2930.03 of the Revised Code that the victim not be 2637  
provided the notice. If notice is to be provided to a victim 2638  
under this division, the authority may give the notice by any 2639  
reasonable means, including regular mail, telephone, and 2640  
electronic mail, in accordance with division (D) (1) of section 2641  
2930.16 of the Revised Code. If the notice is based on an 2642  
offense committed prior to March 22, 2013, the notice also shall 2643  
include the opt-out information described in division (D) (1) of 2644  
section 2930.16 of the Revised Code. The authority, in 2645  
accordance with division (D) (2) of section 2930.16 of the 2646  
Revised Code, shall keep a record of all attempts to provide the 2647  
notice, and of all notices provided, under this division. 2648

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Division (A) (3) (b) of this section, and the notice-related 2649  
provisions of divisions (E) (2) and (K) of section 2929.20, 2650  
division (D) (1) of section 2930.16, division (H) of section 2651  
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2652  
prior to April 4, 2023, division (D) (1) of section 2967.28, and 2653  
division (A) (2) of section 5149.101 of the Revised Code enacted 2654  
in the act in which division (A) (3) (b) of this section was 2655  
enacted, shall be known as "Roberta's Law." 2656

(4) The department of rehabilitation and correction, at 2657  
least sixty days prior to transferring a prisoner to 2658  
transitional control pursuant to this section, shall post on the 2659  
database it maintains pursuant to section 5120.66 of the Revised 2660  
Code the prisoner's name and all of the information specified in 2661  
division (A) (1) (c) (iv) of that section. In addition to and 2662  
independent of the right of a victim to submit a statement as 2663  
described in division (A) (3) of this section or to otherwise 2664  
make a statement and in addition to and independent of any other 2665  
right or duty of a person to present information or make a 2666  
statement, any person may send to the division of parole and 2667  
community services at any time prior to the division's transfer 2668  
of the prisoner to transitional control a written statement 2669  
regarding the transfer of the prisoner to transitional control. 2670  
In addition to the information, reports, and statements it 2671  
considers under divisions (A) (2) and (3) of this section or that 2672  
it otherwise considers, the division shall consider each 2673  
statement submitted in accordance with this division in deciding 2674  
whether to transfer the prisoner to transitional control. 2675

(B) Each prisoner transferred to transitional control 2676  
under this section shall be confined in the manner described in 2677  
division (A) of this section during any period of time that the 2678  
prisoner is not actually working at the prisoner's approved 2679

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employment, engaged in a vocational training or another 2680  
educational program, engaged in another program designated by 2681  
the director, or engaged in other activities approved by the 2682  
department. 2683

(C) The department of rehabilitation and correction shall 2684  
adopt rules for transferring eligible prisoners to transitional 2685  
control, supervising and confining prisoners so transferred, 2686  
administering the transitional control program in accordance 2687  
with this section, and using the moneys deposited into the 2688  
transitional control fund established under division (E) of this 2689  
section. 2690

(D) The department of rehabilitation and correction may 2691  
adopt rules for the issuance of passes for the limited purposes 2692  
described in this division to prisoners who are transferred to 2693  
transitional control under this section. If the department 2694  
adopts rules of that nature, the rules shall govern the granting 2695  
of the passes and shall provide for the supervision of prisoners 2696  
who are temporarily released pursuant to one of those passes. 2697  
Upon the adoption of rules under this division, the department 2698  
may issue passes to prisoners who are transferred to 2699  
transitional control status under this section in accordance 2700  
with the rules and the provisions of this division. All passes 2701  
issued under this division shall be for a maximum of forty-eight 2702  
hours and may be issued only for the following purposes: 2703

(1) To visit a relative in imminent danger of death; 2704

(2) To have a private viewing of the body of a deceased 2705  
relative; 2706

(3) To visit with family; 2707

(4) To otherwise aid in the rehabilitation of the 2708

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prisoner. 2709

(E) The division of parole and community services may 2710  
require a prisoner who is transferred to transitional control to 2711  
pay to the division the reasonable expenses incurred by the 2712  
division in supervising or confining the prisoner while under 2713  
transitional control. Inability to pay those reasonable expenses 2714  
shall not be grounds for refusing to transfer an otherwise 2715  
eligible prisoner to transitional control. Amounts received by 2716  
the division of parole and community services under this 2717  
division shall be deposited into the transitional control fund, 2718  
which is hereby created in the state treasury and which hereby 2719  
replaces and succeeds the furlough services fund that formerly 2720  
existed in the state treasury. All moneys that remain in the 2721  
furlough services fund on March 17, 1998, shall be transferred 2722  
on that date to the transitional control fund. The transitional 2723  
control fund shall be used solely to pay costs related to the 2724  
operation of the transitional control program established under 2725  
this section. The director of rehabilitation and correction 2726  
shall adopt rules in accordance with section 111.15 of the 2727  
Revised Code for the use of the fund. 2728

(F) A prisoner who violates any rule established by the 2729  
department of rehabilitation and correction under division (A), 2730  
(C), or (D) of this section may be transferred to a state 2731  
correctional institution pursuant to rules adopted under 2732  
division (A), (C), or (D) of this section, but the prisoner 2733  
shall receive credit towards completing the prisoner's sentence 2734  
for the time spent under transitional control. 2735

If a prisoner is transferred to transitional control under 2736  
this section, upon successful completion of the period of 2737  
transitional control, the prisoner may be released on parole or 2738

under post-release control pursuant to section 2967.13 or 2739  
2967.28 of the Revised Code and rules adopted by the department 2740  
of rehabilitation and correction. If the prisoner is released 2741  
under post-release control, the duration of the post-release 2742  
control, the type of post-release control sanctions that may be 2743  
imposed, the enforcement of the sanctions, and the treatment of 2744  
prisoners who violate any sanction applicable to the prisoner 2745  
are governed by section 2967.28 of the Revised Code. 2746

Sec. 3109.055. (A) If a child is born to an unmarried 2747  
woman and the father of the child has acknowledged the child and 2748  
that acknowledgment has become final pursuant to section 2749  
2151.232, 3111.25, or 3111.821 of the Revised Code or has been 2750  
determined in an action under Chapter 3111. of the Revised Code 2751  
to be the father of the child, the court, upon its own motion or 2752  
the motion of one of the parties, may order the parents to 2753  
undergo conciliation with a magistrate in order to resolve any 2754  
disputes regarding the allocation of parental rights and 2755  
responsibilities between the parents in a case pending before 2756  
the court. An order requiring conciliation shall set forth the 2757  
the name of the magistrate who will serve as the conciliator and 2758  
the manner in which the costs of any conciliation procedures are 2759  
to be paid. 2760

(B) A magistrate who serves as a conciliator shall use 2761  
conciliation procedures to resolve a dispute regarding the 2762  
allocation of parental rights and responsibilities and, upon 2763  
resolution of the dispute, issue an order regarding the 2764  
allocation of parental rights and responsibilities, parenting 2765  
time, or companionship or visitation pursuant to section 2766  
2151.23, 3109.04, or 3109.12 of the Revised Code. The 2767  
conciliation procedures may include without limitation the use 2768  
of family counselors and service agencies, community health 2769



services, physicians, licensed psychologists, or clergy. If the 2770  
magistrate orders the parties to undergo family counseling, the 2771  
magistrate shall name the counselor and set forth the required 2772  
type of counseling, the length of time for the counseling, and 2773  
any other specific conditions. No order regarding the allocation 2774  
of parental rights and responsibilities, parenting time, or 2775  
companionship or visitation shall be issued until the 2776  
conciliation has concluded and been reported to the magistrate. 2777

**Sec. 3517.01.** (A) (1) A political party within the meaning 2778  
of Title XXXV of the Revised Code is any group of voters that 2779  
meets either of the following requirements: 2780

(a) Except as otherwise provided in this division, at the 2781  
most recent regular state election, the group polled for its 2782  
candidate for governor in the state or nominees for presidential 2783  
electors at least three per cent of the entire vote cast for 2784  
that office. A group that meets the requirements of this 2785  
division remains a political party for a period of four years 2786  
after meeting those requirements. 2787

(b) The group filed with the secretary of state, 2788  
subsequent to its failure to meet the requirements of division 2789  
(A) (1) (a) of this section, a party formation petition that meets 2790  
all of the following requirements: 2791

(i) The petition is signed by qualified electors equal in 2792  
number to at least one per cent of the total vote for governor 2793  
or nominees for presidential electors at the most recent 2794  
election for such office. 2795

(ii) The petition is signed by not fewer than five hundred 2796  
qualified electors from each of at least a minimum of one-half 2797  
of the congressional districts in this state. If an odd number 2798

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of congressional districts exists in this state, the number of 2799  
 districts that results from dividing the number of congressional 2800  
 districts by two shall be rounded up to the next whole number. 2801

(iii) The petition declares the petitioners' intention of 2802  
 organizing a political party, the name of which shall be stated 2803  
 in the declaration, and of participating in the succeeding 2804  
 general election, held in even-numbered years, that occurs more 2805  
 than one hundred twenty-five days after the date of filing. 2806

(iv) The petition designates a committee of not less than 2807  
 three nor more than five individuals of the petitioners, who 2808  
 shall represent the petitioners in all matters relating to the 2809  
 petition. Notice of all matters or proceedings pertaining to the 2810  
 petition may be served on the committee, or any of them, either 2811  
 personally or by registered mail, or by leaving such notice at 2812  
 the usual place of residence of each of them. 2813

(2) No such group of electors shall assume a name or 2814  
 designation that is similar, in the opinion of the secretary of 2815  
 state, to that of an existing political party as to confuse or 2816  
 mislead the voters at an election. 2817

(B) A campaign committee shall be legally liable for any 2818  
 debts, contracts, or expenditures incurred or executed in its 2819  
 name. 2820

(C) Notwithstanding the definitions found in section 2821  
 3501.01 of the Revised Code, as used in this section and 2822  
 sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 2823  
 Revised Code: 2824

(1) "Campaign committee" means a candidate or a 2825  
 combination of two or more persons authorized by a candidate 2826  
 under section 3517.081 of the Revised Code to receive 2827

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contributions and make expenditures. 2828

(2) "Campaign treasurer" means an individual appointed by 2829  
a candidate under section 3517.081 of the Revised Code. 2830

(3) "Candidate" has the same meaning as in division (H) of 2831  
section 3501.01 of the Revised Code and also includes any person 2832  
who, at any time before or after an election, receives 2833  
contributions or makes expenditures or other use of 2834  
contributions, has given consent for another to receive 2835  
contributions or make expenditures or other use of 2836  
contributions, or appoints a campaign treasurer, for the purpose 2837  
of bringing about the person's nomination or election to public 2838  
office. When two persons jointly seek the offices of governor 2839  
and lieutenant governor, "candidate" means the pair of 2840  
candidates jointly. "Candidate" does not include candidates for 2841  
election to the offices of member of a county or state central 2842  
committee, presidential elector, and delegate to a national 2843  
convention or conference of a political party. 2844

(4) "Continuing association" means an association, other 2845  
than a campaign committee, political party, legislative campaign 2846  
fund, political contributing entity, or labor organization, that 2847  
is intended to be a permanent organization that has a primary 2848  
purpose other than supporting or opposing specific candidates, 2849  
political parties, or ballot issues, and that functions on a 2850  
regular basis throughout the year. "Continuing association" 2851  
includes organizations that are determined to be not organized 2852  
for profit under subsection 501 and that are described in 2853  
subsection 501(c) (3), 501(c) (4), or 501(c) (6) of the Internal 2854  
Revenue Code. 2855

(5) "Contribution" means a loan, gift, deposit, 2856  
forgiveness of indebtedness, donation, advance, payment, or 2857

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transfer of funds or anything of value, including a transfer of 2858  
funds from an inter vivos or testamentary trust or decedent's 2859  
estate, and the payment by any person other than the person to 2860  
whom the services are rendered for the personal services of 2861  
another person, which contribution is made, received, or used 2862  
for the purpose of influencing the results of an election. Any 2863  
loan, gift, deposit, forgiveness of indebtedness, donation, 2864  
advance, payment, or transfer of funds or of anything of value, 2865  
including a transfer of funds from an inter vivos or 2866  
testamentary trust or decedent's estate, and the payment by any 2867  
campaign committee, political action committee, legislative 2868  
campaign fund, political party, political contributing entity, 2869  
or person other than the person to whom the services are 2870  
rendered for the personal services of another person, that is 2871  
made, received, or used by a state or county political party, 2872  
other than the moneys an entity may receive under sections 2873  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 2874  
considered to be a "contribution" for the purpose of section 2875  
3517.10 of the Revised Code and shall be included on a statement 2876  
of contributions filed under that section. 2877

"Contribution" does not include any of the following: 2878

(a) Services provided without compensation by individuals 2879  
volunteering a portion or all of their time on behalf of a 2880  
person; 2881

(b) Ordinary home hospitality; 2882

(c) The personal expenses of a volunteer paid for by that 2883  
volunteer campaign worker; 2884

(d) Any gift given to an entity pursuant to section 2885  
3517.101 of the Revised Code; 2886

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(e) Any contribution as defined in section 3517.1011 of 2887  
the Revised Code that is made, received, or used to pay the 2888  
direct costs of producing or airing an electioneering 2889  
communication; 2890

(f) Any gift given to a state or county political party 2891  
for the party's restricted fund under division (A) (2) of section 2892  
3517.1012 of the Revised Code; 2893

(g) Any gift given to a state political party for deposit 2894  
in a Levin account pursuant to section 3517.1013 of the Revised 2895  
Code. As used in this division, "Levin account" has the same 2896  
meaning as in that section. 2897

(h) Any donation given to a transition fund under section 2898  
3517.1014 of the Revised Code. 2899

(6) "Expenditure" means the disbursement or use of a 2900  
contribution or other funds for the purpose of influencing the 2901  
results of an election or of making a charitable donation under 2902  
division (G) of section 3517.08 of the Revised Code. Any 2903  
disbursement or use of a contribution by a state or county 2904  
political party is an expenditure and shall be considered either 2905  
to be made for the purpose of influencing the results of an 2906  
election or to be made as a charitable donation under division 2907  
(G) of section 3517.08 of the Revised Code and shall be reported 2908  
on a statement of expenditures filed under section 3517.10 of 2909  
the Revised Code. During the thirty days preceding a primary or 2910  
general election, any disbursement to pay the direct costs of 2911  
producing or airing a broadcast, cable, or satellite 2912  
communication that refers to a clearly identified candidate 2913  
shall be considered to be made for the purpose of influencing 2914  
the results of that election and shall be reported as an 2915  
expenditure or as an independent expenditure under section 2916

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3517.10 or 3517.105 of the Revised Code, as applicable, except 2917  
that the information required to be reported regarding 2918  
contributors for those expenditures or independent expenditures 2919  
shall be the same as the information required to be reported 2920  
under divisions (D) (1) and (2) of section 3517.1011 of the 2921  
Revised Code. 2922

As used in this division, "broadcast, cable, or satellite 2923  
communication" and "refers to a clearly identified candidate" 2924  
have the same meanings as in section 3517.1011 of the Revised 2925  
Code. 2926

(7) "Personal expenses" includes, but is not limited to, 2927  
ordinary expenses for accommodations, clothing, food, personal 2928  
motor vehicle or airplane, and home telephone. 2929

(8) "Political action committee" means a combination of 2930  
two or more persons, the primary or major purpose of which is to 2931  
support or oppose any candidate, political party, or issue, or 2932  
to influence the result of any election through express 2933  
advocacy, and that is not a political party, a campaign 2934  
committee, a political contributing entity, or a legislative 2935  
campaign fund. "Political action committee" does not include 2936  
either of the following: 2937

(a) A continuing association that makes disbursements for 2938  
the direct costs of producing or airing electioneering 2939  
communications and that does not engage in express advocacy; 2940

(b) A political club that is formed primarily for social 2941  
purposes and that consists of one hundred members or less, has 2942  
officers and periodic meetings, has less than two thousand five 2943  
hundred dollars in its treasury at all times, and makes an 2944  
aggregate total contribution of one thousand dollars or less per 2945

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calendar year. 2946

(9) "Public office" means any state, county, municipal, 2947  
township, or district office, except an office of a political 2948  
party, that is filled by an election and the offices of United 2949  
States senator and representative. 2950

(10) "Anything of value" has the same meaning as in 2951  
section 1.03 of the Revised Code. 2952

(11) "Beneficiary of a campaign fund" means a candidate, a 2953  
public official or employee for whose benefit a campaign fund 2954  
exists, and any other person who has ever been a candidate or 2955  
public official or employee and for whose benefit a campaign 2956  
fund exists. 2957

(12) "Campaign fund" means money or other property, 2958  
including contributions. 2959

(13) "Public official or employee" has the same meaning as 2960  
in section 102.01 of the Revised Code. 2961

(14) "Caucus" means all of the members of the house of 2962  
representatives or all of the members of the senate of the 2963  
general assembly who are members of the same political party. 2964

(15) "Legislative campaign fund" means a fund that is 2965  
established as an auxiliary of a state political party and 2966  
associated with one of the houses of the general assembly. 2967

(16) "In-kind contribution" means anything of value other 2968  
than money that is used to influence the results of an election 2969  
or is transferred to or used in support of or in opposition to a 2970  
candidate, campaign committee, legislative campaign fund, 2971  
political party, political action committee, or political 2972  
contributing entity and that is made with the consent of, in 2973

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coordination, cooperation, or consultation with, or at the 2974  
 request or suggestion of the benefited candidate, committee, 2975  
 fund, party, or entity. The financing of the dissemination, 2976  
 distribution, or republication, in whole or part, of any 2977  
 broadcast or of any written, graphic, or other form of campaign 2978  
 materials prepared by the candidate, the candidate's campaign 2979  
 committee, or their authorized agents is an in-kind contribution 2980  
 to the candidate and an expenditure by the candidate. 2981

~~(17)~~ (17) (a) "Independent expenditure" means ~~an either of~~ 2982  
the following: 2983

(i) An expenditure by a person advocating the election or 2984  
defeat of an identified candidate or candidates, that is not 2985  
made with the consent of, in coordination, cooperation, or 2986  
consultation with, or at the request or suggestion of any 2987  
candidate or candidates or of the campaign committee or agent of 2988  
the candidate or candidates; 2989

(ii) An expenditure by a person advocating support of or 2990  
opposition to an identified ballot issue or question or to 2991  
achieve the successful circulation of an initiative or 2992  
referendum petition in order to place such an issue or question 2993  
on the ballot, regardless of whether the ballot issue or 2994  
question has yet been certified to appear on the ballot. ~~As~~ 2995

(b) As used in division ~~(C) (17)~~ (C) (17) (a) of this 2996  
section: 2997

~~(a)~~ (i) "Person" means an individual, partnership, 2998  
 unincorporated business organization or association, political 2999  
 action committee, political contributing entity, separate 3000  
 segregated fund, association, or other organization or group of 3001  
 persons, but not a labor organization or a corporation unless 3002



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the labor organization or corporation is a political 3003  
 contributing entity. 3004

~~(b)~~ (ii) "Advocating" means any communication containing a 3005  
 message advocating election or defeat. 3006

~~(e)~~ (iii) "Identified candidate" means that the name of 3007  
 the candidate appears, a photograph or drawing of the candidate 3008  
 appears, or the identity of the candidate is otherwise apparent 3009  
 by unambiguous reference. 3010

~~(d)~~ (iv) "Made in coordination, cooperation, or 3011  
 consultation with, or at the request or suggestion of, any 3012  
 candidate or the campaign committee or agent of the candidate" 3013  
 means made pursuant to any arrangement, coordination, or 3014  
 direction by the candidate, the candidate's campaign committee, 3015  
 or the candidate's agent prior to the publication, distribution, 3016  
 display, or broadcast of the communication. An expenditure is 3017  
 presumed to be so made when it is any of the following: 3018

~~(i)~~ (I) Based on information about the candidate's plans, 3019  
 projects, or needs provided to the person making the expenditure 3020  
 by the candidate, or by the candidate's campaign committee or 3021  
 agent, with a view toward having an expenditure made; 3022

~~(ii)~~ (II) Made by or through any person who is, or has 3023  
 been, authorized to raise or expend funds, who is, or has been, 3024  
 an officer of the candidate's campaign committee, or who is, or 3025  
 has been, receiving any form of compensation or reimbursement 3026  
 from the candidate or the candidate's campaign committee or 3027  
 agent; 3028

~~(iii)~~ (III) Except as otherwise provided in division (D) 3029  
 of section 3517.105 of the Revised Code, made by a political 3030  
 party in support of a candidate, unless the expenditure is made 3031

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by a political party to conduct voter registration or voter 3032  
education efforts. 3033

~~(e)~~ (v) "Agent" means any person who has actual oral or 3034  
written authority, either express or implied, to make or to 3035  
authorize the making of expenditures on behalf of a candidate, 3036  
or means any person who has been placed in a position with the 3037  
candidate's campaign committee or organization such that it 3038  
would reasonably appear that in the ordinary course of campaign- 3039  
related activities the person may authorize expenditures. 3040

(18) "Labor organization" means a labor union; an employee 3041  
organization; a federation of labor unions, groups, locals, or 3042  
other employee organizations; an auxiliary of a labor union, 3043  
employee organization, or federation of labor unions, groups, 3044  
locals, or other employee organizations; or any other bona fide 3045  
organization in which employees participate and that exists for 3046  
the purpose, in whole or in part, of dealing with employers 3047  
concerning grievances, labor disputes, wages, hours, and other 3048  
terms and conditions of employment. 3049

(19) "Separate segregated fund" means a separate 3050  
segregated fund established pursuant to the Federal Election 3051  
Campaign Act. 3052

(20) "Federal Election Campaign Act" means the "Federal 3053  
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 3054  
seq., as amended. 3055

(21) "Restricted fund" means the fund a state or county 3056  
political party must establish under division (A)(1) of section 3057  
3517.1012 of the Revised Code. 3058

(22) "Electioneering communication" has the same meaning 3059  
as in section 3517.1011 of the Revised Code. 3060

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(23) "Express advocacy" means a communication that 3061  
contains express words advocating the nomination, election, or 3062  
defeat of a candidate or that contains express words advocating 3063  
the adoption or defeat of a question or issue, as determined by 3064  
a final judgment of a court of competent jurisdiction. 3065

(24) "Political committee" has the same meaning as in 3066  
section 3517.1011 of the Revised Code. 3067

(25) "Political contributing entity" means any entity, 3068  
including a corporation or labor organization, that may lawfully 3069  
make contributions and expenditures and that is not an 3070  
individual or a political action committee, continuing 3071  
association, campaign committee, political party, legislative 3072  
campaign fund, designated state campaign committee, or state 3073  
candidate fund. For purposes of this division, "lawfully" means 3074  
not prohibited by any section of the Revised Code, or authorized 3075  
by a final judgment of a court of competent jurisdiction. 3076

(26) "Internet identifier of record" has the same meaning 3077  
as in section 9.312 of the Revised Code. 3078

**Sec. 3517.10.** (A) Except as otherwise provided in this 3079  
division, every campaign committee, political action committee, 3080  
legislative campaign fund, political party, and political 3081  
contributing entity that made or received a contribution or made 3082  
an expenditure in connection with the nomination or election of 3083  
any candidate or in connection with any ballot issue or question 3084  
at any election held or to be held in this state shall file, on 3085  
a form prescribed under this section or by electronic means of 3086  
transmission as provided in this section and section 3517.106 of 3087  
the Revised Code, a full, true, and itemized statement, made 3088  
under penalty of election falsification, setting forth in detail 3089  
the contributions and expenditures, not later than four p.m. of 3090

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the following dates:

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(1) The twelfth day before the election to reflect contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the twentieth day before the election;

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(2) The thirty-eighth day after the election to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the seventh day before the filing of the statement;

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(3) The last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of December of the previous year;

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(4) The last business day of July of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year.

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A campaign committee shall only be required to file the statements prescribed under divisions (A) (1) and (2) of this section in connection with the nomination or election of the committee's candidate.

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The statement required under division (A) (1) of this section shall not be required of any campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity that has received

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contributions of less than one thousand dollars and has made 3120  
expenditures of less than one thousand dollars at the close of 3121  
business on the twentieth day before the election. Those 3122  
contributions and expenditures shall be reported in the 3123  
statement required under division (A) (2) of this section. 3124

If an election to select candidates to appear on the 3125  
general election ballot is held within sixty days before a 3126  
general election, the campaign committee of a successful 3127  
candidate in the earlier election may file the statement 3128  
required by division (A) (1) of this section for the general 3129  
election instead of the statement required by division (A) (2) of 3130  
this section for the earlier election if the pregeneral election 3131  
statement reflects the status of contributions and expenditures 3132  
for the period twenty days before the earlier election to twenty 3133  
days before the general election. 3134

If a person becomes a candidate less than twenty days 3135  
before an election, the candidate's campaign committee is not 3136  
required to file the statement required by division (A) (1) of 3137  
this section. 3138

No statement under division (A) (3) of this section shall 3139  
be required for any year in which a campaign committee, 3140  
political action committee, legislative campaign fund, political 3141  
party, or political contributing entity is required to file a 3142  
postgeneral election statement under division (A) (2) of this 3143  
section. However, a statement under division (A) (3) of this 3144  
section may be filed, at the option of the campaign committee, 3145  
political action committee, legislative campaign fund, political 3146  
party, or political contributing entity. 3147

No campaign committee of a candidate for the office of 3148  
chief justice or justice of the supreme court, and no campaign 3149

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committee of a candidate for the office of judge of any court in 3150  
this state, shall be required to file a statement under division 3151  
(A) (4) of this section. 3152

Except as otherwise provided in this paragraph and in the 3153  
next paragraph of this section, the only campaign committees 3154  
required to file a statement under division (A) (4) of this 3155  
section are the campaign committee of a statewide candidate and 3156  
the campaign committee of a candidate for county office. The 3157  
campaign committee of a candidate for any other nonjudicial 3158  
office is required to file a statement under division (A) (4) of 3159  
this section if that campaign committee receives, during that 3160  
period, contributions exceeding ten thousand dollars. 3161

No statement under division (A) (4) of this section shall 3162  
be required of a campaign committee, a political action 3163  
committee, a legislative campaign fund, a political party, or a 3164  
political contributing entity for any year in which the campaign 3165  
committee, political action committee, legislative campaign 3166  
fund, political party, or political contributing entity is 3167  
required to file a postprimary election statement under division 3168  
(A) (2) of this section. However, a statement under division (A) 3169  
(4) of this section may be filed at the option of the campaign 3170  
committee, political action committee, legislative campaign 3171  
fund, political party, or political contributing entity. 3172

No statement under division (A) (3) or (4) of this section 3173  
shall be required if the campaign committee, political action 3174  
committee, legislative campaign fund, political party, or 3175  
political contributing entity has no contributions that it has 3176  
received and no expenditures that it has made since the last 3177  
date reflected in its last previously filed statement. However, 3178  
the campaign committee, political action committee, legislative 3179

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campaign fund, political party, or political contributing entity 3180  
shall file a statement to that effect, on a form prescribed 3181  
under this section and made under penalty of election 3182  
falsification, on the date required in division (A) (3) or (4) of 3183  
this section, as applicable. 3184

The campaign committee of a statewide candidate shall file 3185  
a monthly statement of contributions received during each of the 3186  
months of July, August, and September in the year of the general 3187  
election in which the candidate seeks office. The campaign 3188  
committee of a statewide candidate shall file the monthly 3189  
statement not later than three business days after the last day 3190  
of the month covered by the statement. During the period 3191  
beginning on the nineteenth day before the general election in 3192  
which a statewide candidate seeks election to office and 3193  
extending through the day of that general election, each time 3194  
the campaign committee of the joint candidates for the offices 3195  
of governor and lieutenant governor or of a candidate for the 3196  
office of secretary of state, auditor of state, treasurer of 3197  
state, or attorney general receives a contribution from a 3198  
contributor that causes the aggregate amount of contributions 3199  
received from that contributor during that period to equal or 3200  
exceed ten thousand dollars and each time the campaign committee 3201  
of a candidate for the office of chief justice or justice of the 3202  
supreme court receives a contribution from a contributor that 3203  
causes the aggregate amount of contributions received from that 3204  
contributor during that period to exceed ten thousand dollars, 3205  
the campaign committee shall file a two-business-day statement 3206  
reflecting that contribution. Contributions reported on a two- 3207  
business-day statement required to be filed by a campaign 3208  
committee of a statewide candidate in a primary election shall 3209  
also be included in the postprimary election statement required 3210

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to be filed by that campaign committee under division (A) (2) of 3211  
this section. A two-business-day statement required by this 3212  
paragraph shall be filed not later than two business days after 3213  
receipt of the contribution. The statements required by this 3214  
paragraph shall be filed in addition to any other statements 3215  
required by this section. 3216

Subject to the secretary of state having implemented, 3217  
tested, and verified the successful operation of any system the 3218  
secretary of state prescribes pursuant to divisions (C) (6) (b) 3219  
and (D) (6) of this section and division (F) (1) of section 3220  
3517.106 of the Revised Code for the filing of campaign finance 3221  
statements by electronic means of transmission, a campaign 3222  
committee of a statewide candidate shall file a two-business-day 3223  
statement under the preceding paragraph by electronic means of 3224  
transmission if the campaign committee is required to file a 3225  
pre-election, postelection, or monthly statement of 3226  
contributions and expenditures by electronic means of 3227  
transmission under this section or section 3517.106 of the 3228  
Revised Code. 3229

If a campaign committee or political action committee has 3230  
no balance on hand and no outstanding obligations and desires to 3231  
terminate itself, it shall file a statement to that effect, on a 3232  
form prescribed under this section and made under penalty of 3233  
election falsification, with the official with whom it files a 3234  
statement under division (A) of this section after filing a 3235  
final statement of contributions and a final statement of 3236  
expenditures, if contributions have been received or 3237  
expenditures made since the period reflected in its last 3238  
previously filed statement. 3239

(B) Except as otherwise provided in division (C) (7) of 3240



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this section, each statement required by division (A) of this 3241  
 section shall contain the following information: 3242

(1) The full name and address of each campaign committee, 3243  
 political action committee, legislative campaign fund, political 3244  
 party, or political contributing entity, including any treasurer 3245  
 of the committee, fund, party, or entity, filing a contribution 3246  
 and expenditure statement; 3247

(2) (a) In the case of a campaign committee, the 3248  
 candidate's full name and address; 3249

(b) In the case of a political action committee, the 3250  
 registration number assigned to the committee under division (D) 3251  
 (1) of this section. 3252

(3) The date of the election and whether it was or will be 3253  
 a general, primary, or special election; 3254

(4) A statement of contributions received, which shall 3255  
 include the following information: 3256

(a) The month, day, and year of the contribution; 3257

(b) (i) The full name and address of each person, political 3258  
 party, campaign committee, legislative campaign fund, political 3259  
 action committee, or political contributing entity from whom 3260  
 contributions are received and the registration number assigned 3261  
 to the political action committee under division (D) (1) of this 3262  
 section. The requirement of filing the full address does not 3263  
 apply to any statement filed by a state or local committee of a 3264  
 political party, to a finance committee of such committee, or to 3265  
 a committee recognized by a state or local committee as its 3266  
 fund-raising auxiliary. Notwithstanding division (F) of this 3267  
 section, the requirement of filing the full address shall be 3268  
 considered as being met if the address filed is the same address 3269

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the contributor provided under division (E)(1) of this section. 3270

(ii) If a political action committee, political 3271  
contributing entity, legislative campaign fund, or political 3272  
party that is required to file campaign finance statements by 3273  
electronic means of transmission under section 3517.106 of the 3274  
Revised Code or a campaign committee of a statewide candidate or 3275  
candidate for the office of member of the general assembly 3276  
receives a contribution from an individual that exceeds one 3277  
hundred dollars, the name of the individual's current employer, 3278  
if any, or, if the individual is self-employed, the individual's 3279  
occupation and the name of the individual's business, if any; 3280

(iii) If a campaign committee of a statewide candidate or 3281  
candidate for the office of member of the general assembly 3282  
receives a contribution transmitted pursuant to section 3599.031 3283  
of the Revised Code from amounts deducted from the wages and 3284  
salaries of two or more employees that exceeds in the aggregate 3285  
one hundred dollars during any one filing period under division 3286  
(A)(1), (2), (3), or (4) of this section, the full name of the 3287  
employees' employer and the full name of the labor organization 3288  
of which the employees are members, if any. 3289

(c) A description of the contribution received, if other 3290  
than money; 3291

(d) The value in dollars and cents of the contribution; 3292

(e) A separately itemized account of all contributions and 3293  
expenditures regardless of the amount, except a receipt of a 3294  
contribution from a person in the sum of twenty-five dollars or 3295  
less at one social or fund-raising activity and a receipt of a 3296  
contribution transmitted pursuant to section 3599.031 of the 3297  
Revised Code from amounts deducted from the wages and salaries 3298

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of employees if the contribution from the amount deducted from 3299  
the wages and salary of any one employee is twenty-five dollars 3300  
or less aggregated in a calendar year. An account of the total 3301  
contributions from each social or fund-raising activity shall 3302  
include a description of and the value of each in-kind 3303  
contribution received at that activity from any person who made 3304  
one or more such contributions whose aggregate value exceeded 3305  
two hundred fifty dollars and shall be listed separately, 3306  
together with the expenses incurred and paid in connection with 3307  
that activity. A campaign committee, political action committee, 3308  
legislative campaign fund, political party, or political 3309  
contributing entity shall keep records of contributions from 3310  
each person in the amount of twenty-five dollars or less at one 3311  
social or fund-raising activity and contributions from amounts 3312  
deducted under section 3599.031 of the Revised Code from the 3313  
wages and salary of each employee in the amount of twenty-five 3314  
dollars or less aggregated in a calendar year. No continuing 3315  
association that is recognized by a state or local committee of 3316  
a political party as an auxiliary of the party and that makes a 3317  
contribution from funds derived solely from regular dues paid by 3318  
members of the auxiliary shall be required to list the name or 3319  
address of any members who paid those dues. 3320

Contributions that are other income shall be itemized 3321  
separately from all other contributions. The information 3322  
required under division (B) (4) of this section shall be provided 3323  
for all other income itemized. As used in this paragraph, "other 3324  
income" means a loan, investment income, or interest income. 3325

(f) In the case of a campaign committee of a state elected 3326  
officer, if a person doing business with the state elected 3327  
officer in the officer's official capacity makes a contribution 3328  
to the campaign committee of that officer, the information 3329

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required under division (B) (4) of this section in regard to that 3330  
contribution, which shall be filed together with and considered 3331  
a part of the committee's statement of contributions as required 3332  
under division (A) of this section but shall be filed on a 3333  
separate form provided by the secretary of state. As used in 3334  
this division: 3335

(i) "State elected officer" has the same meaning as in 3336  
section 3517.092 of the Revised Code. 3337

(ii) "Person doing business" means a person or an officer 3338  
of an entity who enters into one or more contracts with a state 3339  
elected officer or anyone authorized to enter into contracts on 3340  
behalf of that officer to receive payments for goods or 3341  
services, if the payments total, in the aggregate, more than 3342  
five thousand dollars during a calendar year. 3343

(5) A statement of expenditures which shall include the 3344  
following information: 3345

(a) The month, day, and year of the expenditure; 3346

(b) The full name and address of each person, political 3347  
party, campaign committee, legislative campaign fund, political 3348  
action committee, or political contributing entity to whom the 3349  
expenditure was made and the registration number assigned to the 3350  
political action committee under division (D) (1) of this 3351  
section; 3352

(c) The object or purpose for which the expenditure was 3353  
made; 3354

(d) The amount of each expenditure. 3355

(C) (1) The statement of contributions and expenditures 3356  
shall be signed by the person completing the form. If a 3357

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statement of contributions and expenditures is filed by 3358  
electronic means of transmission pursuant to this section or 3359  
section 3517.106 of the Revised Code, the electronic signature 3360  
of the person who executes the statement and transmits the 3361  
statement by electronic means of transmission, as provided in 3362  
division (F) of section 3517.106 of the Revised Code, shall be 3363  
attached to or associated with the statement and shall be 3364  
binding on all persons and for all purposes under the campaign 3365  
finance reporting law as if the signature had been handwritten 3366  
in ink on a printed form. 3367

(2) The person filing the statement, under penalty of 3368  
election falsification, shall include with it a both of the 3369  
following: 3370

(a) A list of each anonymous contribution, the 3371  
circumstances under which it was received, and the reason it 3372  
cannot be attributed to a specific donor; 3373

(b) A certification that the campaign committee, political 3374  
action committee, legislative campaign fund, political party, or 3375  
political contributing entity, as applicable, has not knowingly 3376  
accepted any contribution that is prohibited under this chapter 3377  
or section 3599.03 or 3599.031 of the Revised Code, including 3378  
under division (W) of section 3517.13 of the Revised Code, 3379  
during the period covered by the statement. 3380

(3) Each statement of a campaign committee of a candidate 3381  
who holds public office shall contain a designation of each 3382  
contributor who is an employee in any unit or department under 3383  
the candidate's direct supervision and control. In a space 3384  
provided in the statement, the person filing the statement shall 3385  
affirm that each such contribution was voluntarily made. 3386

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(4) A campaign committee that did not receive 3387  
contributions or make expenditures in connection with the 3388  
nomination or election of its candidate shall file a statement 3389  
to that effect, on a form prescribed under this section and made 3390  
under penalty of election falsification, on the date required in 3391  
division (A) (2) of this section. 3392

(5) The campaign committee of any person who attempts to 3393  
become a candidate and who, for any reason, does not become 3394  
certified in accordance with Title XXXV of the Revised Code for 3395  
placement on the official ballot of a primary, general, or 3396  
special election to be held in this state, and who, at any time 3397  
prior to or after an election, receives contributions or makes 3398  
expenditures, or has given consent for another to receive 3399  
contributions or make expenditures, for the purpose of bringing 3400  
about the person's nomination or election to public office, 3401  
shall file the statement or statements prescribed by this 3402  
section and a termination statement, if applicable. Division (C) 3403  
(5) of this section does not apply to any person with respect to 3404  
an election to the offices of member of a county or state 3405  
central committee, presidential elector, or delegate to a 3406  
national convention or conference of a political party. 3407

(6) (a) The statements required to be filed under this 3408  
section shall specify the balance in the hands of the campaign 3409  
committee, political action committee, legislative campaign 3410  
fund, political party, or political contributing entity and the 3411  
disposition intended to be made of that balance. 3412

(b) The secretary of state shall prescribe the form for 3413  
all statements required to be filed under this section and shall 3414  
furnish the forms to the boards of elections in the several 3415  
counties. The boards of elections shall supply printed copies of 3416

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those forms without charge. The secretary of state shall 3417  
prescribe the appropriate methodology, protocol, and data file 3418  
structure for statements required or permitted to be filed by 3419  
electronic means of transmission to the secretary of state or a 3420  
board of elections under division (A) of this section, division 3421  
(E) of section 3517.106, division (D) of section 3517.1011, 3422  
division (B) of section 3517.1012, division (C) of section 3423  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 3424  
Revised Code. Subject to division (A) of this section, division 3425  
(E) of section 3517.106, division (D) of section 3517.1011, 3426  
division (B) of section 3517.1012, division (C) of section 3427  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 3428  
Revised Code, the statements required to be stored on computer 3429  
by the secretary of state under division (B) of section 3517.106 3430  
of the Revised Code shall be filed in whatever format the 3431  
secretary of state considers necessary to enable the secretary 3432  
of state to store the information contained in the statements on 3433  
computer. Any such format shall be of a type and nature that is 3434  
readily available to whoever is required to file the statements 3435  
in that format. 3436

(c) The secretary of state shall assess the need for 3437  
training regarding the filing of campaign finance statements by 3438  
electronic means of transmission and regarding associated 3439  
technologies for candidates, campaign committees, political 3440  
action committees, legislative campaign funds, political 3441  
parties, or political contributing entities, for individuals, 3442  
partnerships, or other entities, for persons making 3443  
disbursements to pay the direct costs of producing or airing 3444  
electioneering communications, or for treasurers of transition 3445  
funds, required or permitted to file statements by electronic 3446  
means of transmission under this section or section 3517.105, 3447

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3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 3448  
Revised Code. If, in the opinion of the secretary of state, 3449  
training in these areas is necessary, the secretary of state 3450  
shall arrange for the provision of voluntary training programs 3451  
for candidates, campaign committees, political action 3452  
committees, legislative campaign funds, political parties, or 3453  
political contributing entities, for individuals, partnerships, 3454  
and other entities, for persons making disbursements to pay the 3455  
direct costs of producing or airing electioneering 3456  
communications, or for treasurers of transition funds, as 3457  
appropriate. 3458

(7) Each monthly statement and each two-business-day 3459  
statement required by division (A) of this section shall contain 3460  
the information required by divisions (B)(1) to (4), (C)(2), 3461  
and, if appropriate, (C)(3) of this section. Each statement 3462  
shall be signed as required by division (C)(1) of this section. 3463

(D)(1)(a) Prior to receiving a contribution or making an 3464  
expenditure, every campaign committee, political action 3465  
committee, legislative campaign fund, political party, or 3466  
political contributing entity shall appoint a treasurer and 3467  
shall file, on a form prescribed by the secretary of state, a 3468  
designation of that appointment, including the full name and 3469  
address of the treasurer and of the campaign committee, 3470  
political action committee, legislative campaign fund, political 3471  
party, or political contributing entity. That designation shall 3472  
be filed with the official with whom the campaign committee, 3473  
political action committee, legislative campaign fund, political 3474  
party, or political contributing entity is required to file 3475  
statements under section 3517.11 of the Revised Code. The name 3476  
of a campaign committee shall include at least the last name of 3477  
the campaign committee's candidate. If two or more candidates 3478



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are the beneficiaries of a single campaign committee under 3479  
division (B) of section 3517.081 of the Revised Code, the name 3480  
of the campaign committee shall include at least the last name 3481  
of each candidate who is a beneficiary of that campaign 3482  
committee. The secretary of state shall assign a registration 3483  
number to each political action committee that files a 3484  
designation of the appointment of a treasurer under this 3485  
division if the political action committee is required by 3486  
division (A)(1) of section 3517.11 of the Revised Code to file 3487  
the statements prescribed by this section with the secretary of 3488  
state. 3489

(b) The form of the designation of treasurer shall require 3490  
the filer to certify, under penalty of election falsification, 3491  
that the campaign committee, political action committee, 3492  
legislative campaign fund, political party, or political 3493  
contributing entity, as applicable, has not knowingly accepted, 3494  
and will not knowingly accept, any contribution that is 3495  
prohibited under this chapter or section 3599.03 or 3599.031 of 3496  
the Revised Code, including under division (W) of section 3497  
3517.13 of the Revised Code. 3498

(c) The secretary of state shall not accept for filing a 3499  
designation of treasurer of a political action committee or 3500  
political contributing entity if, in the opinion of the 3501  
secretary of state, the name of the political action committee 3502  
or political contributing entity would lead a reasonable person 3503  
to believe that the political action committee or political 3504  
contributing entity acts on behalf of or represents a county 3505  
political party, unless the designation is accompanied by a 3506  
written statement, signed by the chairperson of the county 3507  
political party's executive committee, granting the political 3508  
action committee or political contributing entity permission to 3509

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act on behalf of or represent the county political party. 3510

(2) The treasurer appointed under division (D) (1) of this 3511  
section shall keep a strict account of all contributions, from 3512  
whom received and the purpose for which they were disbursed. 3513

(3) (a) Except as otherwise provided in section 3517.108 of 3514  
the Revised Code, a campaign committee shall deposit all 3515  
monetary contributions received by the committee into an account 3516  
separate from a personal or business account of the candidate or 3517  
campaign committee. 3518

(b) A political action committee shall deposit all 3519  
monetary contributions received by the committee into an account 3520  
separate from all other funds. 3521

(c) A state or county political party may establish a 3522  
state candidate fund that is separate from all other funds. A 3523  
state or county political party may deposit into its state 3524  
candidate fund any amounts of monetary contributions that are 3525  
made to or accepted by the political party subject to the 3526  
applicable limitations, if any, prescribed in section 3517.102 3527  
of the Revised Code. A state or county political party shall 3528  
deposit all other monetary contributions received by the party 3529  
into one or more accounts that are separate from its state 3530  
candidate fund. 3531

(d) Each state political party shall have only one 3532  
legislative campaign fund for each house of the general 3533  
assembly. Each such fund shall be separate from any other funds 3534  
or accounts of that state party. A legislative campaign fund is 3535  
authorized to receive contributions and make expenditures for 3536  
the primary purpose of furthering the election of candidates who 3537  
are members of that political party to the house of the general 3538

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assembly with which that legislative campaign fund is 3539  
associated. Each legislative campaign fund shall be administered 3540  
and controlled in a manner designated by the caucus. As used in 3541  
this division, "caucus" has the same meaning as in section 3542  
3517.01 of the Revised Code and includes, as an ex officio 3543  
member, the chairperson of the state political party with which 3544  
the caucus is associated or that chairperson's designee. 3545

(4) Every expenditure in excess of twenty-five dollars 3546  
shall be vouched for by a receipted bill, stating the purpose of 3547  
the expenditure, that shall be filed with the statement of 3548  
expenditures. A canceled check with a notation of the purpose of 3549  
the expenditure is a receipted bill for purposes of division (D) 3550  
(4) of this section. 3551

(5) The secretary of state or the board of elections, as 3552  
the case may be, shall issue a receipt for each statement filed 3553  
under this section and shall preserve a copy of the receipt for 3554  
a period of at least six years. All statements filed under this 3555  
section shall be open to public inspection in the office where 3556  
they are filed and shall be carefully preserved for a period of 3557  
at least six years after the year in which they are filed. 3558

(6) The secretary of state, by rule adopted pursuant to 3559  
section 3517.23 of the Revised Code, shall prescribe both of the 3560  
following: 3561

(a) The manner of immediately acknowledging, with date and 3562  
time received, and preserving the receipt of statements that are 3563  
transmitted by electronic means of transmission to the secretary 3564  
of state or a board of elections pursuant to this section or 3565  
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 3566  
of the Revised Code; 3567

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(b) The manner of preserving the contribution and 3568  
expenditure, contribution and disbursement, deposit and 3569  
disbursement, gift and disbursement, or donation and 3570  
disbursement information in the statements described in division 3571  
(D) (6) (a) of this section. The secretary of state shall preserve 3572  
the contribution and expenditure, contribution and disbursement, 3573  
deposit and disbursement, gift and disbursement, or donation and 3574  
disbursement information in those statements for at least ten 3575  
years after the year in which they are filed by electronic means 3576  
of transmission. 3577

(7) (a) The secretary of state, pursuant to division (G) of 3578  
section 3517.106 of the Revised Code, shall make available 3579  
online to the public through the internet the contribution and 3580  
expenditure, contribution and disbursement, deposit and 3581  
disbursement, gift and disbursement, or donation and 3582  
disbursement information in all of the following documents: 3583

(i) All statements, all addenda, amendments, or other 3584  
corrections to statements, and all amended statements filed with 3585  
the secretary of state by electronic or other means of 3586  
transmission under this section, division (B) (2) (b) or (C) (2) (b) 3587  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 3588  
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 3589

(ii) All statements filed with a board of elections by 3590  
electronic means of transmission, and all addenda, amendments, 3591  
corrections, and amended versions of those statements, filed 3592  
with the board under this section, division (B) (2) (b) or (C) (2) 3593  
(b) of section 3517.105, or section 3517.106, 3517.1012, or 3594  
3517.11 of the Revised Code. 3595

(b) The secretary of state may remove the information from 3596  
the internet after a reasonable period of time. 3597

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(E) (1) Any person, political party, campaign committee, 3598  
legislative campaign fund, political action committee, or 3599  
political contributing entity that makes a contribution in 3600  
connection with the nomination or election of any candidate or 3601  
in connection with any ballot issue or question at any election 3602  
held or to be held in this state shall provide its full name and 3603  
address to the recipient of the contribution at the time the 3604  
contribution is made. The political action committee also shall 3605  
provide the registration number assigned to the committee under 3606  
division (D) (1) of this section to the recipient of the 3607  
contribution at the time the contribution is made. 3608

(2) Any individual who makes a contribution that exceeds 3609  
one hundred dollars to a political action committee, political 3610  
contributing entity, legislative campaign fund, or political 3611  
party or to a campaign committee of a statewide candidate or 3612  
candidate for the office of member of the general assembly shall 3613  
provide the name of the individual's current employer, if any, 3614  
or, if the individual is self-employed, the individual's 3615  
occupation and the name of the individual's business, if any, to 3616  
the recipient of the contribution at the time the contribution 3617  
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 3618  
apply to division (E) (2) of this section. 3619

(3) If a campaign committee shows that it has exercised 3620  
its best efforts to obtain, maintain, and submit the information 3621  
required under divisions (B) (4) (b) (ii) and (iii) of this 3622  
section, that committee is considered to have met the 3623  
requirements of those divisions. A campaign committee shall not 3624  
be considered to have exercised its best efforts unless, in 3625  
connection with written solicitations, it regularly includes a 3626  
written request for the information required under division (B) 3627  
(4) (b) (ii) of this section from the contributor or the 3628

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information required under division (B) (4) (b) (iii) of this 3629  
section from whoever transmits the contribution. 3630

(4) Any check that a political action committee uses to 3631  
make a contribution or an expenditure shall contain the full 3632  
name and address of the committee and the registration number 3633  
assigned to the committee under division (D) (1) of this section. 3634

(F) As used in this section: 3635

(1) (a) Except as otherwise provided in division (F) (1) of 3636  
this section, "address" means all of the following if they 3637  
exist: apartment number, street, road, or highway name and 3638  
number, rural delivery route number, city or village, state, and 3639  
zip code as used in a person's post-office address, but not 3640  
post-office box. 3641

(b) Except as otherwise provided in division (F) (1) of 3642  
this section, if an address is required in this section, a post- 3643  
office box and office, room, or suite number may be included in 3644  
addition to, but not in lieu of, an apartment, street, road, or 3645  
highway name and number. 3646

(c) If an address is required in this section, a campaign 3647  
committee, political action committee, legislative campaign 3648  
fund, political party, or political contributing entity may use 3649  
the business or residence address of its treasurer or deputy 3650  
treasurer. The post-office box number of the campaign committee, 3651  
political action committee, legislative campaign fund, political 3652  
party, or political contributing entity may be used in addition 3653  
to that address. 3654

(d) For the sole purpose of a campaign committee's 3655  
reporting of contributions on a statement of contributions 3656  
received under division (B) (4) of this section, "address" has 3657

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one of the following meanings at the option of the campaign 3658  
 committee: 3659

(i) The same meaning as in division (F)(1)(a) of this 3660  
 section; 3661

(ii) All of the following, if they exist: the 3662  
 contributor's post-office box number and city or village, state, 3663  
 and zip code as used in the contributor's post-office address. 3664

(e) As used with regard to the reporting under this 3665  
 section of any expenditure, "address" means all of the following 3666  
 if they exist: apartment number, street, road, or highway name 3667  
 and number, rural delivery route number, city or village, state, 3668  
 and zip code as used in a person's post-office address, or post- 3669  
 office box. If an address concerning any expenditure is required 3670  
 in this section, a campaign committee, political action 3671  
 committee, legislative campaign fund, political party, or 3672  
 political contributing entity may use the business or residence 3673  
 address of its treasurer or deputy treasurer or its post-office 3674  
 box number. 3675

(2) "Statewide candidate" means the joint candidates for 3676  
 the offices of governor and lieutenant governor or a candidate 3677  
 for the office of secretary of state, auditor of state, 3678  
 treasurer of state, attorney general, member of the state board 3679  
 of education, chief justice of the supreme court, or justice of 3680  
 the supreme court. 3681

(3) "Candidate for county office" means a candidate for 3682  
 the office of county auditor, county treasurer, clerk of the 3683  
 court of common pleas, judge of the court of common pleas, 3684  
 sheriff, county recorder, county engineer, county commissioner, 3685  
 prosecuting attorney, or coroner. 3686

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(G) An independent expenditure shall be reported whenever 3687  
and in the same manner that an expenditure is required to be 3688  
reported under this section and shall be reported pursuant to 3689  
division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the 3690  
Revised Code. 3691

(H) (1) Except as otherwise provided in division (H) (2) of 3692  
this section, if, during the combined pre-election and 3693  
postelection reporting periods for an election, a campaign 3694  
committee has received contributions of five hundred dollars or 3695  
less and has made expenditures in the total amount of five 3696  
hundred dollars or less, it may file a statement to that effect, 3697  
under penalty of election falsification, in lieu of the 3698  
statement required by division (A) (2) of this section. The 3699  
statement shall indicate the total amount of contributions 3700  
received and the total amount of expenditures made during those 3701  
combined reporting periods. 3702

(2) In the case of a successful candidate at a primary 3703  
election, if either the total contributions received by or the 3704  
total expenditures made by the candidate's campaign committee 3705  
during the preprimary, postprimary, pregeneral, and postgeneral 3706  
election periods combined equal more than five hundred dollars, 3707  
the campaign committee may file the statement under division (H) 3708  
(1) of this section only for the primary election. The first 3709  
statement that the campaign committee files in regard to the 3710  
general election shall reflect all contributions received and 3711  
all expenditures made during the preprimary and postprimary 3712  
election periods. 3713

(3) Divisions (H) (1) and (2) of this section do not apply 3714  
if a campaign committee receives contributions or makes 3715  
expenditures prior to the first day of January of the year of 3716



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the election at which the candidate seeks nomination or election 3717  
to office or if the campaign committee does not file a 3718  
termination statement with its postprimary election statement in 3719  
the case of an unsuccessful primary election candidate or with 3720  
its postgeneral election statement in the case of other 3721  
candidates. 3722

(I) In the case of a contribution made by a partner of a 3723  
partnership or an owner or a member of another unincorporated 3724  
business from any funds of the partnership or other 3725  
unincorporated business, all of the following apply: 3726

(1) The recipient of the contribution shall report the 3727  
contribution by listing both the partnership or other 3728  
unincorporated business and the name of the partner, owner, or 3729  
member making the contribution. 3730

(2) In reporting the contribution, the recipient of the 3731  
contribution shall be entitled to conclusively rely upon the 3732  
information provided by the partnership or other unincorporated 3733  
business, provided that the information includes one of the 3734  
following: 3735

(a) The name of each partner, owner, or member as of the 3736  
date of the contribution or contributions, and a statement that 3737  
the total contributions are to be allocated equally among all of 3738  
the partners, owners, or members; or 3739

(b) The name of each partner, owner, or member as of the 3740  
date of the contribution or contributions who is participating 3741  
in the contribution or contributions, and a statement that the 3742  
contribution or contributions are to be allocated to those 3743  
individuals in accordance with the information provided by the 3744  
partnership or other unincorporated business to the recipient of 3745

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the contribution. 3746

(3) For purposes of section 3517.102 of the Revised Code, 3747  
the contribution shall be considered to have been made by the 3748  
partner, owner, or member reported under division (I)(1) of this 3749  
section. 3750

(4) No contribution from a partner of a partnership or an 3751  
owner or a member of another unincorporated business shall be 3752  
accepted from any funds of the partnership or other 3753  
unincorporated business unless the recipient reports the 3754  
contribution under division (I)(1) of this section together with 3755  
the information provided under division (I)(2) of this section. 3756

(5) No partnership or other unincorporated business shall 3757  
make a contribution or contributions solely in the name of the 3758  
partnership or other unincorporated business. 3759

(6) As used in division (I) of this section, "partnership 3760  
or other unincorporated business" includes, but is not limited 3761  
to, a cooperative, a sole proprietorship, a general partnership, 3762  
a limited partnership, a limited partnership association, a 3763  
limited liability partnership, and a limited liability company. 3764

(J) A candidate shall have only one campaign committee at 3765  
any given time for all of the offices for which the person is a 3766  
candidate or holds office. 3767

(K)(1) In addition to filing a designation of appointment 3768  
of a treasurer under division (D)(1) of this section, the 3769  
campaign committee of any candidate for an elected municipal 3770  
office that pays an annual amount of compensation of five 3771  
thousand dollars or less, the campaign committee of any 3772  
candidate for member of a board of education except member of 3773  
the state board of education, or the campaign committee of any 3774

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candidate for township trustee or township fiscal officer may 3775  
sign, under penalty of election falsification, a certificate 3776  
attesting that the committee will not accept contributions 3777  
during an election period that exceed in the aggregate two 3778  
thousand dollars from all contributors and one hundred dollars 3779  
from any one individual, and that the campaign committee will 3780  
not make expenditures during an election period that exceed in 3781  
the aggregate two thousand dollars. 3782

The certificate shall be on a form prescribed by the 3783  
secretary of state and shall be filed not later than ten days 3784  
after the candidate files a declaration of candidacy and 3785  
petition, a nominating petition, or a declaration of intent to 3786  
be a write-in candidate. 3787

(2) Except as otherwise provided in division (K) (3) of 3788  
this section, a campaign committee that files a certificate 3789  
under division (K) (1) of this section is not required to file 3790  
the statements required by division (A) of this section. 3791

(3) If, after filing a certificate under division (K) (1) 3792  
of this section, a campaign committee exceeds any of the 3793  
limitations described in that division during an election 3794  
period, the certificate is void and thereafter the campaign 3795  
committee shall file the statements required by division (A) of 3796  
this section. If the campaign committee has not previously filed 3797  
a statement, then on the first statement the campaign committee 3798  
is required to file under division (A) of this section after the 3799  
committee's certificate is void, the committee shall report all 3800  
contributions received and expenditures made from the time the 3801  
candidate filed the candidate's declaration of candidacy and 3802  
petition, nominating petition, or declaration of intent to be a 3803  
write-in candidate. 3804

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(4) As used in division (K) of this section, "election  
period" means the period of time beginning on the day a person  
files a declaration of candidacy and petition, nominating  
petition, or declaration of intent to be a write-in candidate  
through the day of the election at which the person seeks  
nomination to office if the person is not elected to office, or,  
if the candidate was nominated in a primary election, the day of  
the election at which the candidate seeks office.

(L) A political contributing entity that receives  
contributions from the dues, membership fees, or other  
assessments of its members or from its officers, shareholders,  
and employees may report the aggregate amount of contributions  
received from those contributors and the number of individuals  
making those contributions, for each filing period under  
divisions (A) (1), (2), (3), and (4) of this section, rather than  
reporting information as required under division (B) (4) of this  
section, including, when applicable, the name of the current  
employer, if any, of a contributor whose contribution exceeds  
one hundred dollars or, if such a contributor is self-employed,  
the contributor's occupation and the name of the contributor's  
business, if any. Division (B) (4) of this section applies to a  
political contributing entity with regard to contributions it  
receives from all other contributors.

**Sec. 3517.12.** (A) ~~Prior to receiving a contribution or~~  
~~making an expenditure, the circulator or~~ If the committee in  
charge of an initiative or referendum petition, or supplementary  
petition for additional signatures, for the submission to the  
electors of a constitutional amendment, proposed law, section,  
or item of any law wishes to receive any contribution or make  
any expenditure for the purpose of achieving the successful  
circulation of the petition, the committee shall appoint a

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~~treasurer and shall file with the secretary of state, on a form~~ 3836  
~~prescribed by the secretary of state, a designation of that~~ 3837  
~~appointment, including the full name and address of the~~ 3838  
~~treasurer and of the circulator or committee~~ file a designation 3839  
of treasurer under division (D) of section 3517.10 of the 3840  
Revised Code as a political action committee before receiving a 3841  
contribution or making an expenditure and thereafter shall 3842  
comply with all applicable requirements of this chapter 3843  
concerning political action committees. 3844

(B) ~~The circulator or~~ If the committee in charge of an 3845  
initiative or referendum petition, or supplementary petition for 3846  
additional signatures, for the submission to the electors of a 3847  
constitutional amendment, proposed law, section, or item of any 3848  
law receives no contributions and makes no expenditures for the 3849  
purpose of achieving the successful circulation of the petition, 3850  
and is not otherwise considered a campaign committee, political 3851  
party, legislative campaign fund, political action committee, or 3852  
political contributing entity, then the committee shall, within 3853  
thirty days after those the petition papers are is filed, file 3854  
with the secretary of state, on a form prescribed by the 3855  
secretary of state, an itemized a statement, made under penalty 3856  
of election falsification, showing in detail the following: 3857

~~(1) All money or things of value paid, given, promised, or~~ 3858  
~~received for circulating the petitions;~~ 3859

~~(2) All appointments, promotions, or increases in salary,~~ 3860  
~~in positions which were given, promised, or received, or to~~ 3861  
~~obtain which assistance was given, promised, or received as a~~ 3862  
~~consideration for work done in circulating petitions;~~ 3863

~~(3) Full names and addresses, including street, city, and~~ 3864  
~~state, of all persons to whom such payments or promises were~~ 3865

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~~made and of all persons from whom such payments or promises were~~ 3866  
~~received;~~ 3867

~~(4) Full names and addresses, including street, city, and~~ 3868  
~~state, of all persons who contributed anything of value to be~~ 3869  
~~used in circulating the petitions, and the amounts of those~~ 3870  
~~contributions;~~ 3871

~~(5) Time spent and salaries earned while soliciting~~ 3872  
~~signatures to petitions by persons who were regular salaried~~ 3873  
~~employees of some person or whom that employer authorized to~~ 3874  
~~solicit as part of their regular duties.~~ 3875

~~If that the committee received no money or things of~~ 3876  
~~value were paid or received or if no promises were made or~~ 3877  
~~received as a consideration for work done in circulating a~~ 3878  
~~petition, the statement shall contain words to that effect~~ 3879  
~~contributions and made no expenditures for the purpose of~~ 3880  
~~achieving the successful circulation of the petition.~~ 3881

~~(C) The treasurer designated under division (A) of this~~ 3882  
~~section shall file statements of contributions and expenditures~~ 3883  
~~in accordance with section 3517.10 of the Revised Code regarding~~ 3884  
~~all contributions made or received and all expenditures made by~~ 3885  
~~that treasurer or the circulator or committee in connection with~~ 3886  
~~the initiative or referendum petition, or supplementary petition~~ 3887  
~~for additional signatures, for the submission of a~~ 3888  
~~constitutional amendment, proposed law, section, or item of any~~ 3889  
~~law.~~ 3890

**Sec. 3517.13.** (A) (1) No campaign committee of a statewide 3891  
candidate shall fail to file a complete and accurate statement 3892  
required under division (A) (1) of section 3517.10 of the Revised 3893  
Code. 3894

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(2) No campaign committee of a statewide candidate shall 3895  
fail to file a complete and accurate monthly statement, and no 3896  
campaign committee of a statewide candidate or a candidate for 3897  
the office of chief justice or justice of the supreme court 3898  
shall fail to file a complete and accurate two-business-day 3899  
statement, as required under section 3517.10 of the Revised 3900  
Code. 3901

As used in this division, "statewide candidate" has the 3902  
same meaning as in division (F) (2) of section 3517.10 of the 3903  
Revised Code. 3904

(B) No campaign committee shall fail to file a complete 3905  
and accurate statement required under division (A) (1) of section 3906  
3517.10 of the Revised Code. 3907

(C) No campaign committee shall fail to file a complete 3908  
and accurate statement required under division (A) (2) of section 3909  
3517.10 of the Revised Code. 3910

(D) No campaign committee shall fail to file a complete 3911  
and accurate statement required under division (A) (3) or (4) of 3912  
section 3517.10 of the Revised Code. 3913

(E) No person other than a campaign committee shall 3914  
knowingly fail to file a statement required under section 3915  
3517.10 or 3517.107 of the Revised Code. 3916

(F) No person shall make cash contributions to any person 3917  
totaling more than one hundred dollars in each primary, special, 3918  
or general election. 3919

(G) (1) No person shall knowingly conceal or misrepresent 3920  
contributions given or received, expenditures made, or any other 3921  
information required to be reported by a provision in sections 3922  
3517.08 to 3517.13 of the Revised Code. 3923

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(2) (a) No person shall make a contribution to a campaign 3924  
committee, political action committee, political contributing 3925  
entity, legislative campaign fund, political party, or person 3926  
making disbursements to pay the direct costs of producing or 3927  
airing electioneering communications in the name of another 3928  
person. 3929

(b) A person does not make a contribution in the name of 3930  
another when either of the following applies: 3931

(i) An individual makes a contribution from a partnership 3932  
or other unincorporated business account, if the contribution is 3933  
reported by listing both the name of the partnership or other 3934  
unincorporated business and the name of the partner or owner 3935  
making the contribution as required under division (I) of 3936  
section 3517.10 of the Revised Code. 3937

(ii) A person makes a contribution in that person's 3938  
spouse's name or in both of their names. 3939

(H) No person within this state, publishing a newspaper or 3940  
other periodical, shall charge a campaign committee for 3941  
political advertising a rate in excess of the rate such person 3942  
would charge if the campaign committee were a general rate 3943  
advertiser whose advertising was directed to promoting its 3944  
business within the same area as that encompassed by the 3945  
particular office that the candidate of the campaign committee 3946  
is seeking. The rate shall take into account the amount of space 3947  
used, as well as the type of advertising copy submitted by or on 3948  
behalf of the campaign committee. All discount privileges 3949  
otherwise offered by a newspaper or periodical to general rate 3950  
advertisers shall be available upon equal terms to all campaign 3951  
committees. 3952



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No person within this state, operating a radio or  
television station or network of stations in this state, shall  
charge a campaign committee for political broadcasts a rate that  
exceeds:

(1) During the forty-five days preceding the date of a  
primary election and during the sixty days preceding the date of  
a general or special election in which the candidate of the  
campaign committee is seeking office, the lowest unit charge of  
the station for the same class and amount of time for the same  
period;

(2) At any other time, the charges made for comparable use  
of that station by its other users.

(I) Subject to divisions (K), (L), (M), and (N) of this  
section, no agency or department of this state or any political  
subdivision shall award any contract, other than one let by  
competitive bidding or a contract incidental to such contract or  
which is by force account, for the purchase of goods costing  
more than five hundred dollars or services costing more than  
five hundred dollars to any individual, partnership,  
association, including, without limitation, a professional  
association organized under Chapter 1785. of the Revised Code,  
estate, or trust if the individual has made or the individual's  
spouse has made, or any partner, shareholder, administrator,  
executor, or trustee or the spouse of any of them has made, as  
an individual, within the two previous calendar years, one or  
more contributions totaling in excess of one thousand dollars to  
the holder of the public office having ultimate responsibility  
for the award of the contract or to the public officer's  
campaign committee.

(J) Subject to divisions (K), (L), (M), and (N) of this

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section, no agency or department of this state or any political 3983  
subdivision shall award any contract, other than one let by 3984  
competitive bidding or a contract incidental to such contract or 3985  
which is by force account, for the purchase of goods costing 3986  
more than five hundred dollars or services costing more than 3987  
five hundred dollars to a corporation or business trust, except 3988  
a professional association organized under Chapter 1785. of the 3989  
Revised Code, if an owner of more than twenty per cent of the 3990  
corporation or business trust or the spouse of that person has 3991  
made, as an individual, within the two previous calendar years, 3992  
taking into consideration only owners for all of that period, 3993  
one or more contributions totaling in excess of one thousand 3994  
dollars to the holder of a public office having ultimate 3995  
responsibility for the award of the contract or to the public 3996  
officer's campaign committee. 3997

(K) For purposes of divisions (I) and (J) of this section, 3998  
if a public officer who is responsible for the award of a 3999  
contract is appointed by the governor, whether or not the 4000  
appointment is subject to the advice and consent of the senate, 4001  
excluding members of boards, commissions, committees, 4002  
authorities, councils, boards of trustees, task forces, and 4003  
other such entities appointed by the governor, the office of the 4004  
governor is considered to have ultimate responsibility for the 4005  
award of the contract. 4006

(L) For purposes of divisions (I) and (J) of this section, 4007  
if a public officer who is responsible for the award of a 4008  
contract is appointed by the elected chief executive officer of 4009  
a municipal corporation, or appointed by the elected chief 4010  
executive officer of a county operating under an alternative 4011  
form of county government or county charter, excluding members 4012  
of boards, commissions, committees, authorities, councils, 4013

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boards of trustees, task forces, and other such entities 4014  
appointed by the chief executive officer, the office of the 4015  
chief executive officer is considered to have ultimate 4016  
responsibility for the award of the contract. 4017

(M) (1) Divisions (I) and (J) of this section do not apply 4018  
to contracts awarded by the board of commissioners of the 4019  
sinking fund, municipal legislative authorities, boards of 4020  
education, boards of county commissioners, boards of township 4021  
trustees, or other boards, commissions, committees, authorities, 4022  
councils, boards of trustees, task forces, and other such 4023  
entities created by law, by the supreme court or courts of 4024  
appeals, by county courts consisting of more than one judge, 4025  
courts of common pleas consisting of more than one judge, or 4026  
municipal courts consisting of more than one judge, or by a 4027  
division of any court if the division consists of more than one 4028  
judge. This division shall apply to the specified entity only if 4029  
the members of the entity act collectively in the award of a 4030  
contract for goods or services. 4031

(2) Divisions (I) and (J) of this section do not apply to 4032  
actions of the controlling board. 4033

(N) (1) Divisions (I) and (J) of this section apply to 4034  
contributions made to the holder of a public office having 4035  
ultimate responsibility for the award of a contract, or to the 4036  
public officer's campaign committee, during the time the person 4037  
holds the office and during any time such person was a candidate 4038  
for the office. Those divisions do not apply to contributions 4039  
made to, or to the campaign committee of, a candidate for or 4040  
holder of the office other than the holder of the office at the 4041  
time of the award of the contract. 4042

(2) Divisions (I) and (J) of this section do not apply to 4043

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contributions of a partner, shareholder, administrator, 4044  
executor, trustee, or owner of more than twenty per cent of a 4045  
corporation or business trust made before the person held any of 4046  
those positions or after the person ceased to hold any of those 4047  
positions in the partnership, association, estate, trust, 4048  
corporation, or business trust whose eligibility to be awarded a 4049  
contract is being determined, nor to contributions of the 4050  
person's spouse made before the person held any of those 4051  
positions, after the person ceased to hold any of those 4052  
positions, before the two were married, after the granting of a 4053  
decree of divorce, dissolution of marriage, or annulment, or 4054  
after the granting of an order in an action brought solely for 4055  
legal separation. Those divisions do not apply to contributions 4056  
of the spouse of an individual whose eligibility to be awarded a 4057  
contract is being determined made before the two were married, 4058  
after the granting of a decree of divorce, dissolution of 4059  
marriage, or annulment, or after the granting of an order in an 4060  
action brought solely for legal separation. 4061

(0) No beneficiary of a campaign fund or other person 4062  
shall convert for personal use, and no person shall knowingly 4063  
give to a beneficiary of a campaign fund or any other person, 4064  
for the beneficiary's or any other person's personal use, 4065  
anything of value from the beneficiary's campaign fund, 4066  
including, without limitation, payments to a beneficiary for 4067  
services the beneficiary personally performs, except as 4068  
reimbursement for any of the following: 4069

(1) Legitimate and verifiable prior campaign expenses 4070  
incurred by the beneficiary; 4071

(2) Legitimate and verifiable ordinary and necessary prior 4072  
expenses incurred by the beneficiary in connection with duties 4073

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as the holder of a public office, including, without limitation, 4074  
 expenses incurred through participation in nonpartisan or 4075  
 bipartisan events if the participation of the holder of a public 4076  
 office would normally be expected; 4077

(3) Legitimate and verifiable ordinary and necessary prior 4078  
 expenses incurred by the beneficiary while doing any of the 4079  
 following: 4080

(a) Engaging in activities in support of or opposition to 4081  
 a candidate other than the beneficiary, political party, or 4082  
 ballot issue; 4083

(b) Raising funds for a political party, political action 4084  
 committee, political contributing entity, legislative campaign 4085  
 fund, campaign committee, or other candidate; 4086

(c) Participating in the activities of a political party, 4087  
 political action committee, political contributing entity, 4088  
 legislative campaign fund, or campaign committee; 4089

(d) Attending a political party convention or other 4090  
 political meeting. 4091

For purposes of this division, an expense is incurred 4092  
 whenever a beneficiary has either made payment or is obligated 4093  
 to make payment, as by the use of a credit card or other credit 4094  
 procedure or by the use of goods or services received on 4095  
 account. 4096

(P) No beneficiary of a campaign fund shall knowingly 4097  
 accept, and no person shall knowingly give to the beneficiary of 4098  
 a campaign fund, reimbursement for an expense under division (O) 4099  
 of this section to the extent that the expense previously was 4100  
 reimbursed or paid from another source of funds. If an expense 4101  
 is reimbursed under division (O) of this section and is later 4102

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paid or reimbursed, wholly or in part, from another source of 4103  
funds, the beneficiary shall repay the reimbursement received 4104  
under division (O) of this section to the extent of the payment 4105  
made or reimbursement received from the other source. 4106

(Q) No candidate or public official or employee shall 4107  
accept for personal or business use anything of value from a 4108  
political party, political action committee, political 4109  
contributing entity, legislative campaign fund, or campaign 4110  
committee other than the candidate's or public official's or 4111  
employee's own campaign committee, and no person shall knowingly 4112  
give to a candidate or public official or employee anything of 4113  
value from a political party, political action committee, 4114  
political contributing entity, legislative campaign fund, or 4115  
such a campaign committee, except for the following: 4116

(1) Reimbursement for legitimate and verifiable ordinary 4117  
and necessary prior expenses not otherwise prohibited by law 4118  
incurred by the candidate or public official or employee while 4119  
engaged in any legitimate activity of the political party, 4120  
political action committee, political contributing entity, 4121  
legislative campaign fund, or such campaign committee. Without 4122  
limitation, reimbursable expenses under this division include 4123  
those incurred while doing any of the following: 4124

(a) Engaging in activities in support of or opposition to 4125  
another candidate, political party, or ballot issue; 4126

(b) Raising funds for a political party, legislative 4127  
campaign fund, campaign committee, or another candidate; 4128

(c) Attending a political party convention or other 4129  
political meeting. 4130

(2) Compensation not otherwise prohibited by law for 4131

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actual and valuable personal services rendered under a written 4132  
contract to the political party, political action committee, 4133  
political contributing entity, legislative campaign fund, or 4134  
such campaign committee for any legitimate activity of the 4135  
political party, political action committee, political 4136  
contributing entity, legislative campaign fund, or such campaign 4137  
committee. 4138

Reimbursable expenses under this division do not include, 4139  
and it is a violation of this division for a candidate or public 4140  
official or employee to accept, or for any person to knowingly 4141  
give to a candidate or public official or employee from a 4142  
political party, political action committee, political 4143  
contributing entity, legislative campaign fund, or campaign 4144  
committee other than the candidate's or public official's or 4145  
employee's own campaign committee, anything of value for 4146  
activities primarily related to the candidate's or public 4147  
official's or employee's own campaign for election, except for 4148  
contributions to the candidate's or public official's or 4149  
employee's campaign committee. 4150

For purposes of this division, an expense is incurred 4151  
whenever a candidate or public official or employee has either 4152  
made payment or is obligated to make payment, as by the use of a 4153  
credit card or other credit procedure, or by the use of goods or 4154  
services on account. 4155

(R) (1) Division (O) or (P) of this section does not 4156  
prohibit a campaign committee from making direct advance or post 4157  
payment from contributions to vendors for goods and services for 4158  
which reimbursement is permitted under division (O) of this 4159  
section, except that no campaign committee shall pay its 4160  
candidate or other beneficiary for services personally performed 4161

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by the candidate or other beneficiary. 4162

(2) If any expense that may be reimbursed under division 4163  
(O), (P), or (Q) of this section is part of other expenses that 4164  
may not be paid or reimbursed, the separation of the two types 4165  
of expenses for the purpose of allocating for payment or 4166  
reimbursement those expenses that may be paid or reimbursed may 4167  
be by any reasonable accounting method, considering all of the 4168  
surrounding circumstances. 4169

(3) For purposes of divisions (O), (P), and (Q) of this 4170  
section, mileage allowance at a rate not greater than that 4171  
allowed by the internal revenue service at the time the travel 4172  
occurs may be paid instead of reimbursement for actual travel 4173  
expenses allowable. 4174

(S) (1) As used in division (S) of this section: 4175

(a) "State elective office" has the same meaning as in 4176  
section 3517.092 of the Revised Code. 4177

(b) "Federal office" means a federal office as defined in 4178  
the Federal Election Campaign Act. 4179

(c) "Federal campaign committee" means a principal 4180  
campaign committee or authorized committee as defined in the 4181  
Federal Election Campaign Act. 4182

(2) No person who is a candidate for state elective office 4183  
and who previously sought nomination or election to a federal 4184  
office shall transfer any funds or assets from that person's 4185  
federal campaign committee for nomination or election to the 4186  
federal office to that person's campaign committee as a 4187  
candidate for state elective office. 4188

(3) No campaign committee of a person who is a candidate 4189



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for state elective office and who previously sought nomination 4190  
 or election to a federal office shall accept any funds or assets 4191  
 from that person's federal campaign committee for that person's 4192  
 nomination or election to the federal office. 4193

(T) (1) Except as otherwise provided in division (B) (6) (c) 4194  
 of section 3517.102 of the Revised Code, a state or county 4195  
 political party shall not disburse moneys from any account other 4196  
 than a state candidate fund to make contributions to any of the 4197  
 following: 4198

(a) A state candidate fund; 4199

(b) A legislative campaign fund; 4200

(c) A campaign committee of a candidate for the office of 4201  
 governor, lieutenant governor, secretary of state, auditor of 4202  
 state, treasurer of state, attorney general, member of the state 4203  
 board of education, or member of the general assembly. 4204

(2) No state candidate fund, legislative campaign fund, or 4205  
 campaign committee of a candidate for any office described in 4206  
 division (T) (1) (c) of this section shall knowingly accept a 4207  
 contribution in violation of division (T) (1) of this section. 4208

(U) No person shall fail to file a statement required 4209  
 under section 3517.12 of the Revised Code. 4210

(V) No campaign committee shall fail to file a statement 4211  
 required under division (K) (3) of section 3517.10 of the Revised 4212  
 Code. 4213

(W) (1) No foreign national shall, directly or indirectly 4214  
 through any other person or entity, ~~make~~ knowingly do any of the 4215  
following: 4216

(a) Make a contribution, expenditure, or independent 4217

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expenditure or promise, either expressly or implicitly, to make 4218  
 a contribution, expenditure, or independent expenditure ~~in~~ 4219  
~~support of or opposition to a candidate for any elective office~~ 4220  
~~in this state, including an office of a political party;~~ 4221

(b) Solicit another person to make a contribution, 4222  
expenditure, or independent expenditure; 4223

(c) Make a loan, gift, deposit, forgiveness of 4224  
indebtedness, donation, advance, payment, or transfer of funds 4225  
to another person with a designation, instruction, or 4226  
encumbrance that the foreign national knows will result in any 4227  
part of the loan, gift, deposit, forgiveness of indebtedness, 4228  
donation, advance, payment, or transfer of funds being used to 4229  
make a contribution, expenditure, or independent expenditure. As 4230  
used in this division, "designation, instruction, or 4231  
encumbrance" includes any designation, instruction, or 4232  
encumbrance that is direct or indirect, express or implied, oral 4233  
or written, or involving an intermediary or conduit. 4234

(2) No candidate, campaign committee, political action 4235  
 committee, political contributing entity, legislative campaign 4236  
 fund, state candidate fund, political party, ~~or~~ separate 4237  
 segregated fund, or continuing association shall do either of 4238  
the following: 4239

(a) Knowingly transfer funds, or accept a transfer of 4240  
funds, directly or indirectly into an account from which the 4241  
person makes contributions or expenditures from an account that 4242  
is controlled by the person or by the person's affiliate and 4243  
that the person, at any time, knew to contain funds described in 4244  
division (W) (1) of this section that are received directly or 4245  
indirectly through another person or entity from a foreign 4246  
national. For purposes of this division, a person is affiliated 4247

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with another person if they are both established, financed, 4248  
maintained, or controlled by, or if they are, the same person, 4249  
including any parent, subsidiary, division, or department of 4250  
that person. 4251

(b) Otherwise knowingly solicit or accept a contribution, 4252  
expenditure, or independent expenditure, directly or indirectly 4253  
through another person or entity, from a foreign national. The 4254  
~~secretary of state may direct any candidate, committee, entity,~~ 4255  
~~fund, or party that accepts a contribution, expenditure, or~~ 4256  
~~independent expenditure in violation of this division to return~~ 4257  
~~the contribution, expenditure, or independent expenditure or, if~~ 4258  
~~it is not possible to return the contribution, expenditure, or~~ 4259  
~~independent expenditure, then to return instead the value of it,~~ 4260  
~~to the contributor.~~ 4261

(3) No person shall knowingly aid or facilitate a 4262  
violation of division (W) (1) or (2) of this section. 4263

(4) As used in division (W) of this section, "foreign 4264  
~~national" has the same meaning as in section 441e(b) of the~~ 4265  
~~Federal Election Campaign Act, means any of the following, as~~ 4266  
applicable: 4267

(a) In the case of an individual, an individual who is not 4268  
a United States citizen or national; 4269

(b) A government of a foreign country or of a political 4270  
subdivision of a foreign country; 4271

(c) A foreign political party; 4272

(d) A person, other than an individual, that is organized 4273  
under the laws of, or has its principal place of business in, a 4274  
foreign country. 4275

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(X) (1) No state or county political party shall transfer 4276  
any moneys from its restricted fund to any account of the 4277  
political party into which contributions may be made or from 4278  
which contributions or expenditures may be made. 4279

(2) (a) No state or county political party shall deposit a 4280  
contribution or contributions that it receives into its 4281  
restricted fund. 4282

(b) No state or county political party shall make a 4283  
contribution or an expenditure from its restricted fund. 4284

(3) (a) No corporation or labor organization shall make a 4285  
gift or gifts from the corporation's or labor organization's 4286  
money or property aggregating more than ten thousand dollars to 4287  
any one state or county political party for the party's 4288  
restricted fund in a calendar year. 4289

(b) No state or county political party shall accept a gift 4290  
or gifts for the party's restricted fund aggregating more than 4291  
ten thousand dollars from any one corporation or labor 4292  
organization in a calendar year. 4293

(4) No state or county political party shall transfer any 4294  
moneys in the party's restricted fund to any other state or 4295  
county political party. 4296

(5) No state or county political party shall knowingly 4297  
fail to file a statement required under section 3517.1012 of the 4298  
Revised Code. 4299

(Y) The administrator of workers' compensation and the 4300  
employees of the bureau of workers' compensation shall not 4301  
conduct any business with or award any contract, other than one 4302  
awarded by competitive bidding, for the purchase of goods 4303  
costing more than five hundred dollars or services costing more 4304

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than five hundred dollars to any individual, partnership, 4305  
association, including, without limitation, a professional 4306  
association organized under Chapter 1785. of the Revised Code, 4307  
estate, or trust, if the individual has made, or the 4308  
individual's spouse has made, or any partner, shareholder, 4309  
administrator, executor, or trustee, or the spouses of any of 4310  
those individuals has made, as an individual, within the two 4311  
previous calendar years, one or more contributions totaling in 4312  
excess of one thousand dollars to the campaign committee of the 4313  
governor or lieutenant governor or to the campaign committee of 4314  
any candidate for the office of governor or lieutenant governor. 4315

(Z) The administrator of workers' compensation and the 4316  
employees of the bureau of workers' compensation shall not 4317  
conduct business with or award any contract, other than one 4318  
awarded by competitive bidding, for the purchase of goods 4319  
costing more than five hundred dollars or services costing more 4320  
than five hundred dollars to a corporation or business trust, 4321  
except a professional association organized under Chapter 1785. 4322  
of the Revised Code, if an owner of more than twenty per cent of 4323  
the corporation or business trust, or the spouse of the owner, 4324  
has made, as an individual, within the two previous calendar 4325  
years, taking into consideration only owners for all of such 4326  
period, one or more contributions totaling in excess of one 4327  
thousand dollars to the campaign committee of the governor or 4328  
lieutenant governor or to the campaign committee of any 4329  
candidate for the office of governor or lieutenant governor. 4330

**Sec. 3517.155.** (A) (1) Except as otherwise provided in 4331  
division (B) of this section, the Ohio elections commission 4332  
shall hold its first hearing on a complaint filed with it, other 4333  
than a complaint that receives an expedited hearing under 4334  
section 3517.156 of the Revised Code, not later than ninety 4335

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business days after the complaint is filed unless the commission 4336  
has good cause to hold the hearing after that time, in which 4337  
case it shall hold the hearing not later than one hundred eighty 4338  
business days after the complaint is filed. At the hearing, the 4339  
commission shall determine whether or not the failure to act or 4340  
the violation alleged in the complaint has occurred and shall do 4341  
only one of the following, except as otherwise provided in 4342  
~~division (B) of this section or in division (B) of section~~ 4343  
3517.151 of the Revised Code: 4344

(a) Enter a finding that good cause has been shown not to 4345  
impose a fine or not to refer the matter to the appropriate 4346  
prosecutor; 4347

(b) Impose a fine under section 3517.993 of the Revised 4348  
Code; 4349

(c) Refer the matter to the appropriate prosecutor~~+~~. 4350

(2) As used in division (A) of this section, "appropriate 4351  
prosecutor" means ~~a prosecutor as defined in section 2935.01 of~~ 4352  
~~the Revised Code and~~ either of the following: 4353

(a) In the case of a failure to comply with or a violation 4354  
of law involving a campaign committee or the committee's 4355  
candidate, a political party, a legislative campaign fund, a 4356  
political action committee, or a political contributing entity, 4357  
that is required to file a statement of contributions and 4358  
expenditures with the secretary of state under division (A) of 4359  
section 3517.11 of the Revised Code, ~~the prosecutor of Franklin~~ 4360  
~~county attorney general, except that if the attorney general is~~ 4361  
a victim or witness or otherwise involved in the matter, 4362  
"appropriate prosecutor" means a county prosecutor whom the 4363  
commission deems appropriate to prosecute the matter; 4364

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(b) In the case of a failure to comply with or a violation 4365  
of law involving any other campaign committee or committee's 4366  
candidate, or any other political party, political action 4367  
committee, or political contributing entity, either of the 4368  
following as determined by the commission: 4369

(i) The prosecutor of Franklin county attorney general, 4370  
except that if the attorney general is a victim or witness or 4371  
otherwise involved in the matter, the commission shall refer the 4372  
matter to the prosecutor described in division (A) (2) (b) (ii) of 4373  
this section; 4374

(ii) The prosecutor of the county in which the candidacy 4375  
or ballot question or issue is submitted to the electors or, if 4376  
it is submitted in more than one county, the most populous of 4377  
those counties, except that if that prosecutor is a victim or 4378  
witness or otherwise involved in the matter, the commission 4379  
shall refer the matter to the attorney general. 4380

(3) When the commission refers a matter to the attorney 4381  
general under this section, or when the attorney general assumes 4382  
responsibility for the prosecution of a matter under division 4383  
(D) (3) (b) of this section, the attorney general may prosecute 4384  
the matter with all the rights, privileges, and powers conferred 4385  
by law on prosecuting attorneys, including the power to appear 4386  
before grand juries and to interrogate witnesses before such 4387  
grand juries. These powers of the attorney general are in 4388  
addition to any other applicable powers of the attorney general. 4389

(B) If the commission decides that the evidence is 4390  
insufficient for it to determine whether or not the failure to 4391  
act or the violation alleged in the complaint has occurred, the 4392  
commission, by the affirmative vote of five members, may request 4393  
that an investigatory attorney investigate the complaint. Upon 4394

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that request, an investigatory attorney shall make an 4395  
investigation in order to produce sufficient evidence for the 4396  
commission to decide the matter. If the commission requests an 4397  
investigation under this division, for good cause shown by the 4398  
investigatory attorney, the commission may extend by sixty days 4399  
the deadline for holding its first hearing on the complaint as 4400  
required in division (A) of this section. 4401

(C) The commission shall take one of the actions required 4402  
under division (A) of this section not later than thirty days 4403  
after the close of all the evidence presented. 4404

(D) (1) The commission shall make any finding of a failure 4405  
to comply with or a violation of law in regard to a complaint 4406  
that alleges a violation of division (A) or (B) of section 4407  
3517.21, or division (A) or (B) of section 3517.22 of the 4408  
Revised Code by clear and convincing evidence. The commission 4409  
shall make any finding of a failure to comply with or a 4410  
violation of law in regard to any other complaint by a 4411  
preponderance of the evidence. 4412

(2) If the commission finds a violation of division (B) of 4413  
section 3517.21 or division (B) of section 3517.22 of the 4414  
Revised Code, it shall refer the matter to the appropriate 4415  
prosecutor under division (A) (1) (c) of this section and shall 4416  
not impose a fine under division (A) (1) (b) of this section or 4417  
section 3517.993 of the Revised Code. 4418

(3) (a) If the commission finds a violation of division (W) 4419  
of section 3517.13 of the Revised Code, it shall do one of the 4420  
following: 4421

(i) Impose a fine under section 3517.993 of the Revised 4422  
Code in an amount equal to three times the amount involved in 4423



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the violation or ten thousand dollars, whichever amount is 4424  
greater, with none of the fine suspended and, in the case of a 4425  
violation of division (W) (2) of section 3517.13 of the Revised 4426  
Code, order the violator to return an amount equal to any amount 4427  
accepted in violation of that division to the foreign national 4428  
from whom it was accepted; 4429

(ii) Refer the matter to the appropriate prosecutor. 4430

(b) (i) Except as otherwise provided in division (D) (3) (b) 4431  
(ii) of this section, if the commission finds a violation of 4432  
division (W) of section 3517.13 of the Revised Code and refers 4433  
the matter to a county prosecutor under division (A) (2) (b) (ii) 4434  
of this section, upon the request of the prosecutor to whom the 4435  
commission refers the matter or upon the attorney general's own 4436  
initiative, the attorney general may assume responsibility for 4437  
the prosecution of the matter. 4438

(ii) Division (D) (3) (b) (i) of this section does not apply 4439  
to any matter in which the attorney general is a victim or 4440  
witness or is otherwise involved. 4441

(E) In an action before the commission or a panel of the 4442  
commission, if the allegations of the complainant are not 4443  
proved, and the commission takes the action described in 4444  
division (A) (1) (a) of this section or a panel of the commission 4445  
takes the action described in division (C) (1) of section 4446  
3517.156 of the Revised Code, the commission or a panel of the 4447  
commission may find that the complaint is frivolous, and, if the 4448  
commission or panel so finds, the commission shall order the 4449  
complainant to pay reasonable attorney's fees and to pay the 4450  
costs of the commission or panel as determined by a majority of 4451  
the members of the commission. The costs paid to the commission 4452  
or panel under this division shall be deposited into the Ohio 4453

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elections commission fund.

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**Sec. 3517.992.** This section establishes penalties only  
with respect to acts or failures to act that occur on and after  
August 24, 1995.

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(A) (1) A candidate whose campaign committee violates  
division (A), (B), (C), (D), or (V) of section 3517.13 of the  
Revised Code, or a treasurer of a campaign committee who  
violates any of those divisions, shall be fined not more than  
one hundred dollars for each day of violation.

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(2) Whoever violates division (E) or (X) (5) of section  
3517.13 or division (E) (1) of section 3517.1014 of the Revised  
Code shall be fined not more than one hundred dollars for each  
day of violation.

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(B) An entity that violates division (G) (1) of section  
3517.101 of the Revised Code shall be fined not more than one  
hundred dollars for each day of violation.

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(C) Whoever violates division (G) (2) of section 3517.101,  
division (G) of section 3517.13, or division (E) (2) or (3) of  
section 3517.1014 of the Revised Code shall be fined not more  
than ten thousand dollars or, if the offender is a person who  
was nominated or elected to public office, shall forfeit the  
nomination or the office to which the offender was elected, or  
both.

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(D) Whoever violates division (F) of section 3517.13 of  
the Revised Code shall be fined not more than three times the  
amount contributed.

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(E) Whoever violates division (H) of section 3517.13 of  
the Revised Code shall be fined not more than one hundred  
dollars.

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(F) Whoever violates division (O), (P), or (Q) of section 4483  
3517.13 of the Revised Code is guilty of a misdemeanor of the 4484  
first degree. 4485

(G) A state or county committee of a political party that 4486  
violates division (B)(1) of section 3517.18 of the Revised Code 4487  
as that section existed before its repeal by H.B. 166 of the 4488  
133rd general assembly shall be fined not more than twice the 4489  
amount of the improper expenditure. 4490

(H) An entity that violates division (H) of section 4491  
3517.101 of the Revised Code shall be fined not more than twice 4492  
the amount of the improper expenditure or use. 4493

(I)(1) Any individual who violates division (B)(1) of 4494  
section 3517.102 of the Revised Code and knows that the 4495  
contribution the individual makes violates that division shall 4496  
be fined an amount equal to three times the amount contributed 4497  
in excess of the amount permitted by that division. 4498

(2) Any political action committee that violates division 4499  
(B)(2) of section 3517.102 of the Revised Code shall be fined an 4500  
amount equal to three times the amount contributed in excess of 4501  
the amount permitted by that division. 4502

(3) Any campaign committee that violates division (B)(3) 4503  
or (5) of section 3517.102 of the Revised Code shall be fined an 4504  
amount equal to three times the amount contributed in excess of 4505  
the amount permitted by that division. 4506

(4)(a) Any legislative campaign fund that violates 4507  
division (B)(6) of section 3517.102 of the Revised Code shall be 4508  
fined an amount equal to three times the amount transferred or 4509  
contributed in excess of the amount permitted by that division, 4510  
as applicable. 4511

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(b) Any state political party, county political party, or 4512  
state candidate fund of a state political party or county 4513  
political party that violates division (B) (6) of section 4514  
3517.102 of the Revised Code shall be fined an amount equal to 4515  
three times the amount transferred or contributed in excess of 4516  
the amount permitted by that division, as applicable. 4517

(c) Any political contributing entity that violates 4518  
division (B) (7) of section 3517.102 of the Revised Code shall be 4519  
fined an amount equal to three times the amount contributed in 4520  
excess of the amount permitted by that division. 4521

(5) Any political party that violates division (B) (4) of 4522  
section 3517.102 of the Revised Code shall be fined an amount 4523  
equal to three times the amount contributed in excess of the 4524  
amount permitted by that division. 4525

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 4526  
(5) of this section, no violation of division (B) of section 4527  
3517.102 of the Revised Code occurs, and the secretary of state 4528  
shall not refer parties to the Ohio elections commission, if the 4529  
amount transferred or contributed in excess of the amount 4530  
permitted by that division meets either of the following 4531  
conditions: 4532

(a) It is completely refunded within five business days 4533  
after it is accepted. 4534

(b) It is completely refunded on or before the tenth 4535  
business day after notification to the recipient of the excess 4536  
transfer or contribution by the board of elections or the 4537  
secretary of state that a transfer or contribution in excess of 4538  
the permitted amount has been received. 4539

(J) (1) Any campaign committee that violates division (C) 4540

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(1), (2), (3), or (6) of section 3517.102 of the Revised Code 4541  
shall be fined an amount equal to three times the amount 4542  
accepted in excess of the amount permitted by that division. 4543

(2)(a) Any county political party that violates division 4544  
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 4545  
shall be fined an amount equal to three times the amount 4546  
accepted. 4547

(b) Any county political party that violates division (C) 4548  
(4)(a)(i) of section 3517.102 of the Revised Code shall be fined 4549  
an amount from its state candidate fund equal to three times the 4550  
amount accepted in excess of the amount permitted by that 4551  
division. 4552

(c) Any state political party that violates division (C) 4553  
(4)(b) of section 3517.102 of the Revised Code shall be fined an 4554  
amount from its state candidate fund equal to three times the 4555  
amount accepted in excess of the amount permitted by that 4556  
division. 4557

(3) Any legislative campaign fund that violates division 4558  
(C)(5) of section 3517.102 of the Revised Code shall be fined an 4559  
amount equal to three times the amount accepted in excess of the 4560  
amount permitted by that division. 4561

(4) Any political action committee or political 4562  
contributing entity that violates division (C)(7) of section 4563  
3517.102 of the Revised Code shall be fined an amount equal to 4564  
three times the amount accepted in excess of the amount 4565  
permitted by that division. 4566

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 4567  
this section, no violation of division (C) of section 3517.102 4568  
of the Revised Code occurs, and the secretary of state shall not 4569

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refer parties to the Ohio elections commission, if the amount 4570  
transferred or contributed in excess of the amount permitted to 4571  
be accepted by that division meets either of the following 4572  
conditions: 4573

(a) It is completely refunded within five business days 4574  
after its acceptance. 4575

(b) It is completely refunded on or before the tenth 4576  
business day after notification to the recipient of the excess 4577  
transfer or contribution by the board of elections or the 4578  
secretary of state that a transfer or contribution in excess of 4579  
the permitted amount has been received. 4580

(K) (1) Any legislative campaign fund that violates 4581  
division (F) (1) of section 3517.102 of the Revised Code shall be 4582  
fined twenty-five dollars for each day of violation. 4583

(2) Any legislative campaign fund that violates division 4584  
(F) (2) of section 3517.102 of the Revised Code shall give to the 4585  
treasurer of state for deposit into the state treasury to the 4586  
credit of the Ohio elections commission fund all excess 4587  
contributions not disposed of as required by division (E) of 4588  
section 3517.102 of the Revised Code. 4589

(L) Whoever violates section 3517.105 of the Revised Code 4590  
shall be fined one thousand dollars. 4591

(M) (1) Whoever solicits a contribution in violation of 4592  
section 3517.092 or violates division (B) of section 3517.09 of 4593  
the Revised Code is guilty of a misdemeanor of the first degree. 4594

(2) Whoever knowingly accepts a contribution in violation 4595  
of division (B) or (C) of section 3517.092 of the Revised Code 4596  
shall be fined an amount equal to three times the amount 4597  
accepted in violation of either of those divisions and shall 4598

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return to the contributor any amount so accepted. Whoever 4599  
unknowingly accepts a contribution in violation of division (B) 4600  
or (C) of section 3517.092 of the Revised Code shall return to 4601  
the contributor any amount so accepted. 4602

(N) Whoever violates division (S) of section 3517.13 of 4603  
the Revised Code shall be fined an amount equal to three times 4604  
the amount of funds transferred or three times the value of the 4605  
assets transferred in violation of that division. 4606

(O) Any campaign committee that accepts a contribution or 4607  
contributions in violation of section 3517.108 of the Revised 4608  
Code, uses a contribution in violation of that section, or fails 4609  
to dispose of excess contributions in violation of that section 4610  
shall be fined an amount equal to three times the amount 4611  
accepted, used, or kept in violation of that section. 4612

(P) Any political party, state candidate fund, legislative 4613  
candidate fund, or campaign committee that violates division (T) 4614  
of section 3517.13 of the Revised Code shall be fined an amount 4615  
equal to three times the amount contributed or accepted in 4616  
violation of that section. 4617

(Q) A treasurer of a committee or another person who 4618  
violates division (U) of section 3517.13 of the Revised Code 4619  
shall be fined not more than two hundred fifty dollars. 4620

(R) Whoever violates division (I) or (J) of section 4621  
3517.13 of the Revised Code shall be fined not more than one 4622  
thousand dollars. Whenever a person is found guilty of violating 4623  
division (I) or (J) of section 3517.13 of the Revised Code, the 4624  
contract awarded in violation of either of those divisions shall 4625  
be rescinded if its terms have not yet been performed. 4626

(S) A candidate whose campaign committee violates or a 4627

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treasurer of a campaign committee who violates section 3517.081 4628  
of the Revised Code, and a candidate whose campaign committee 4629  
violates or a treasurer of a campaign committee or another 4630  
person who violates division (C) of section 3517.10 of the 4631  
Revised Code, shall be fined not more than five hundred dollars. 4632

(T) A candidate whose campaign committee violates or a 4633  
treasurer of a committee who violates division (B) of section 4634  
3517.09 of the Revised Code, or a candidate whose campaign 4635  
committee violates or a treasurer of a campaign committee or 4636  
another person who violates division (C) of section 3517.09 of 4637  
the Revised Code shall be fined not more than one thousand 4638  
dollars. 4639

(U) Whoever violates section 3517.20 of the Revised Code 4640  
shall be fined not more than five hundred dollars. 4641

(V) Whoever violates section 3517.21 or 3517.22 of the 4642  
Revised Code shall be imprisoned for not more than six months or 4643  
fined not more than five thousand dollars, or both. 4644

(W) A campaign committee that is required to file a 4645  
declaration of no limits under division (D)(2) of section 4646  
3517.103 of the Revised Code that, before filing that 4647  
declaration, accepts a contribution or contributions that exceed 4648  
the limitations prescribed in section 3517.102 of the Revised 4649  
Code, shall return that contribution or those contributions to 4650  
the contributor. 4651

(X) Any campaign committee that fails to file the 4652  
declaration of filing-day finances required by division (F) of 4653  
section 3517.109 of the Revised Code shall be fined twenty-five 4654  
dollars for each day of violation. 4655

(Y) (1) Any campaign committee that fails to dispose of 4656



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excess funds or excess aggregate contributions under division 4657  
(B) of section 3517.109 of the Revised Code in the manner 4658  
required by division (C) of that section shall give to the 4659  
treasurer of state for deposit into the Ohio elections 4660  
commission fund created under division (I) of section 3517.152 4661  
of the Revised Code all funds not disposed of pursuant to that 4662  
division. 4663

(2) Any treasurer of a transition fund that fails to 4664  
dispose of assets remaining in the transition fund as required 4665  
under division (H) (1) or (2) of section 3517.1014 of the Revised 4666  
Code shall give to the treasurer of state for deposit into the 4667  
Ohio elections commission fund all assets not disposed of 4668  
pursuant to that division. 4669

(Z) Any individual, campaign committee, political action 4670  
committee, political contributing entity, legislative campaign 4671  
fund, political party, treasurer of a transition fund, or other 4672  
entity that violates any provision of sections 3517.09 to 4673  
3517.12 of the Revised Code for which no penalty is provided for 4674  
under any other division of this section shall be fined not more 4675  
than one thousand dollars. 4676

(AA) (1) Whoever knowingly violates division (W) (1) of 4677  
section 3517.13 of the Revised Code shall be fined an amount 4678  
equal to three times the amount contributed, expended, or 4679  
promised in violation of that division or ten thousand dollars, 4680  
whichever amount is greater. 4681

(2) Whoever knowingly violates division (W) (2) of section 4682  
3517.13 of the Revised Code shall be fined an amount equal to 4683  
three times the amount solicited or accepted in violation of 4684  
that division or ten thousand dollars, whichever amount is 4685  
greater, and shall be required to return an amount equal to any 4686

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amount accepted in violation of that division to the foreign 4687  
national from whom it was accepted. 4688

(3) Whoever knowingly violates division (W) (3) of section 4689  
3517.13 of the Revised Code shall be fined an amount equal to 4690  
three times the amount involved in the violation or ten thousand 4691  
dollars, whichever amount is greater. 4692

(BB) Whoever knowingly violates division (C) or (D) of 4693  
section 3517.1011 of the Revised Code shall be fined not more 4694  
than ten thousand dollars plus not more than one thousand 4695  
dollars for each day of violation. 4696

(CC) (1) Subject to division (CC) (2) of this section, 4697  
whoever violates division (H) of section 3517.1011 of the 4698  
Revised Code shall be fined an amount up to three times the 4699  
amount disbursed for the direct costs of airing the 4700  
communication made in violation of that division. 4701

(2) Whoever has been ordered by the Ohio elections 4702  
commission or by a court of competent jurisdiction to cease 4703  
making communications in violation of division (H) of section 4704  
3517.1011 of the Revised Code who again violates that division 4705  
shall be fined an amount equal to three times the amount 4706  
disbursed for the direct costs of airing the communication made 4707  
in violation of that division. 4708

(DD) (1) Any corporation or labor organization that 4709  
violates division (X) (3) (a) of section 3517.13 of the Revised 4710  
Code shall be fined an amount equal to three times the amount 4711  
given in excess of the amount permitted by that division. 4712

(2) Any state or county political party that violates 4713  
division (X) (3) (b) of section 3517.13 of the Revised Code shall 4714  
be fined an amount equal to three times the amount accepted in 4715

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excess of the amount permitted by that division. 4716

(EE) (1) Any campaign committee or person who violates 4717  
division (C) (1) (b) or (c) of section 3517.1014 of the Revised 4718  
Code shall be fined an amount equal to three times the amount 4719  
donated in excess of the amount permitted by that division. 4720

(2) Any officeholder or treasurer of a transition fund who 4721  
violates division (C) (3) (a) or (b) of section 3517.1014 of the 4722  
Revised Code shall be fined an amount equal to three times the 4723  
amount accepted in excess of the amount permitted by that 4724  
division. 4725

**Sec. 3517.993.** This section authorizes the establishment 4726  
of fines that may be imposed only with respect to acts or 4727  
failures to act that occur on and after August 24, 1995. 4728

(A) Except as otherwise provided in ~~division~~divisions (D) 4729  
(2) and (3) of section 3517.155 of the Revised Code, the Ohio 4730  
elections commission may impose administrative fines under 4731  
division (A) (1) (b) of section 3517.155 of the Revised Code in 4732  
accordance with the amounts set forth under sections 3517.992, 4733  
3599.03, and 3599.031 of the Revised Code. 4734

(B) ~~The~~Except as otherwise provided in division (D) (3) of 4735  
section 3517.155 of the Revised Code, the commission may suspend 4736  
all or part of a fine it imposes under this section upon 4737  
whatever terms and conditions the commission considers just. 4738

(C) (1) The commission shall consider any of the following 4739  
circumstances in determining whether to impose a maximum fine 4740  
under this section: 4741

(a) Whether the violator has been found guilty of any 4742  
other violation of Title XXXV of the Revised Code; 4743

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(b) Whether the violation was made knowingly or purposely;	4744
(c) Whether any relevant statements, addenda, or	4745
affidavits required to be filed have not been filed;	4746
(d) Whether the violator has any outstanding fines imposed	4747
for a violation of Title XXXV of the Revised Code;	4748
(e) Whether the violation occurred during the course of a	4749
campaign.	4750
(2) The commission shall consider any of the following	4751
circumstances in determining whether to impose a minimal fine or	4752
no fine under this section:	4753
(a) Whether the violator previously has not been found	4754
guilty of any other violation of Title XXXV of the Revised Code;	4755
(b) Whether the violator has promptly corrected the	4756
violator's violation;	4757
(c) Whether the nature and circumstances of the violation	4758
merit a minimum fine;	4759
(d) Whether there are substantial grounds tending to	4760
excuse or justify the violation, although failing to establish a	4761
defense to the violation;	4762
(e) Whether the violation was not purposely committed.	4763
(3) The circumstances set forth in divisions (C) (1) and	4764
(2) of this section shall be considered by, but shall not	4765
control the decision of, the commission in imposing a fine.	4766
(D) Fines imposed by the commission under this section	4767
shall be paid into the Ohio elections commission fund.	4768
<b>Sec. 4507.112.</b> (A) The director of public safety may	4769
authorize a third party to administer the motor vehicle skills	4770

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test specified in division (A) (2) of section 4507.11 of the 4771  
Revised Code. A third-party administrator may be any person, any 4772  
agency of this state, or any agency, department, or 4773  
instrumentality of local government, including a clerk of the 4774  
court of common pleas. The third party shall administer the same 4775  
skills test as otherwise would be administered by the bureau of 4776  
motor vehicles. 4777

(B) For purposes of authorizing a third party to 4778  
administer the motor vehicle skills test, the director and the 4779  
third party shall enter into an agreement that does all of the 4780  
following: 4781

(1) Allows the director or the director's representative 4782  
to conduct random examinations, inspections, and audits of the 4783  
third party, whether covert or overt, without prior notice; 4784

(2) Requires all examiners of the third party to meet the 4785  
same qualification and training standards as examiners of the 4786  
department of public safety; 4787

(3) Requires the third party to use designated road test 4788  
routes that have been approved by the director; 4789

(4) If the third party also is a driver training school, 4790  
prohibits a skills test examiner employed by the school from 4791  
administering a skills test to an applicant that the examiner 4792  
personally trained; 4793

(5) Establishes appropriate documentation and 4794  
communication between the third party and the department 4795  
indicating who has attempted the skills test with the third 4796  
party and whether the person completed the test successfully; 4797

(6) Reserves to the department the right to take prompt 4798  
and appropriate remedial action against the third party and its 4799

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skills test examiners if the third party or its skills test 4800  
examiners fail to comply with state standards for the testing 4801  
program or with any other terms of the agreement. 4802

(C) (1) The director may adopt rules in accordance with 4803  
Chapter 119. of the Revised Code establishing reasonable fees 4804  
that a third party authorized to administer the motor vehicle 4805  
skills test under this section may charge for the skills test. 4806

(2) If the director does not adopt the rules authorized 4807  
under division (C) (1) of this section, a third party may charge 4808  
a fee to an applicant who attempts the skills test with that 4809  
third party. However, a third party shall not charge a fee 4810  
greater than the cost of administering the skills test to that 4811  
applicant. 4812

**Sec. 4509.101.** (A) (1) No person shall operate, or permit 4813  
the operation of, a motor vehicle in this state, unless proof of 4814  
financial responsibility is maintained continuously throughout 4815  
the registration period with respect to that vehicle, or, in the 4816  
case of a driver who is not the owner, with respect to that 4817  
driver's operation of that vehicle. 4818

(2) Whoever violates division (A) (1) of this section shall 4819  
be subject to the following civil penalties: 4820

(a) Subject to divisions (A) (2) (b) and (c) of this 4821  
section, a class (F) suspension of the person's driver's 4822  
license, commercial driver's license, temporary instruction 4823  
permit, probationary license, or nonresident operating privilege 4824  
for the period of time specified in division (B) (6) of section 4825  
4510.02 of the Revised Code and impoundment of the person's 4826  
license. The court may grant limited driving privileges to the 4827  
person, but only if the person presents proof of financial 4828

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responsibility and is enrolled in a reinstatement fee payment 4829  
plan pursuant to section 4510.10 of the Revised Code. 4830

(b) If, within five years of the violation, the person's 4831  
operating privileges are again suspended and the person's 4832  
license again is impounded for a violation of division (A)(1) of 4833  
this section, a class C suspension of the person's driver's 4834  
license, commercial driver's license, temporary instruction 4835  
permit, probationary license, or nonresident operating privilege 4836  
for the period of time specified in division (B)(3) of section 4837  
4510.02 of the Revised Code. The court may grant limited driving 4838  
privileges to the person only if the person presents proof of 4839  
financial responsibility and has complied with division (A)(5) 4840  
of this section, and no court may grant limited driving 4841  
privileges for the first fifteen days of the suspension. 4842

(c) If, within five years of the violation, the person's 4843  
operating privileges are suspended and the person's license is 4844  
impounded two or more times for a violation of division (A)(1) 4845  
of this section, a class B suspension of the person's driver's 4846  
license, commercial driver's license, temporary instruction 4847  
permit, probationary license, or nonresident operating privilege 4848  
for the period of time specified in division (B)(2) of section 4849  
4510.02 of the Revised Code. The court may grant limited driving 4850  
privileges to the person only if the person presents proof of 4851  
financial responsibility and has complied with division (A)(5) 4852  
of this section, except that no court may grant limited driving 4853  
privileges for the first thirty days of the suspension. 4854

(d) In addition to the suspension of an owner's license 4855  
under division (A)(2)(a), (b), or (c) of this section, the 4856  
suspension of the rights of the owner to register the motor 4857  
vehicle and the impoundment of the owner's certificate of 4858

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registration and license plates until the owner complies with 4859  
division (A) (5) of this section. 4860

The clerk of court shall waive the cost of filing a 4861  
petition for limited driving privileges if, pursuant to section 4862  
2323.311 of the Revised Code, the petitioner applies to be 4863  
qualified as an indigent litigant and the court approves the 4864  
application. 4865

(3) A person to whom this state has issued a certificate 4866  
of registration for a motor vehicle or a license to operate a 4867  
motor vehicle or who is determined to have operated any motor 4868  
vehicle or permitted the operation in this state of a motor 4869  
vehicle owned by the person shall be required to verify the 4870  
existence of proof of financial responsibility covering the 4871  
operation of the motor vehicle or the person's operation of the 4872  
motor vehicle under either of the following circumstances: 4873

(a) The person or a motor vehicle owned by the person is 4874  
involved in a traffic accident that requires the filing of an 4875  
accident report under section 4509.06 of the Revised Code. 4876

(b) The person receives a traffic ticket indicating that 4877  
proof of the maintenance of financial responsibility was not 4878  
produced upon the request of a peace officer or state highway 4879  
patrol trooper made in accordance with division (D) (2) of this 4880  
section. 4881

(4) An order of the registrar that suspends and impounds a 4882  
license or registration, or both, shall state the date on or 4883  
before which the person is required to surrender the person's 4884  
license or certificate of registration and license plates. The 4885  
person is deemed to have surrendered the license or certificate 4886  
of registration and license plates, in compliance with the 4887



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order, if the person does either of the following: 4888

(a) On or before the date specified in the order, delivers 4889  
the license or certificate of registration and license plates to 4890  
the registrar; 4891

(b) Mails the license or certificate of registration and 4892  
license plates to the registrar in an envelope or container 4893  
bearing a postmark showing a date no later than the date 4894  
specified in the order. 4895

(5) Except as provided in division (L) of this section, 4896  
the registrar shall not restore any operating privileges or 4897  
registration rights suspended under this section, return any 4898  
license, certificate of registration, or license plates 4899  
impounded under this section, or reissue license plates under 4900  
section 4503.232 of the Revised Code, if the registrar destroyed 4901  
the impounded license plates under that section, or reissue a 4902  
license under section 4510.52 of the Revised Code, if the 4903  
registrar destroyed the suspended license under that section, 4904  
unless the rights are not subject to suspension or revocation 4905  
under any other law and unless the person, in addition to 4906  
complying with all other conditions required by law for 4907  
reinstatement of the operating privileges or registration 4908  
rights, complies with all of the following: 4909

(a) Pays to the registrar or an eligible deputy registrar 4910  
a financial responsibility reinstatement fee of forty dollars 4911  
for the first violation of division (A)(1) of this section, 4912  
three hundred dollars for a second violation of that division, 4913  
and six hundred dollars for a third or subsequent violation of 4914  
that division; 4915

(b) If the person has not voluntarily surrendered the 4916

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license, certificate, or license plates in compliance with the 4917  
order, pays to the registrar or an eligible deputy registrar a 4918  
financial responsibility nonvoluntary compliance fee in an 4919  
amount, not to exceed fifty dollars, determined by the 4920  
registrar; 4921

(c) Files and continuously maintains proof of financial 4922  
responsibility under sections 4509.44 to 4509.65 of the Revised 4923  
Code; 4924

(d) Pays a deputy registrar a service fee of ten dollars 4925  
to compensate the deputy registrar for services performed under 4926  
this section. The deputy registrar shall retain eight dollars of 4927  
the service fee and shall transmit the reinstatement fee, any 4928  
nonvoluntary compliance fee, and two dollars of the service fee 4929  
to the registrar in the manner the registrar shall determine. 4930

(B) (1) Every party required to file an accident report 4931  
under section 4509.06 of the Revised Code also shall include 4932  
with the report a document described in division (G) (1) (a) of 4933  
this section or shall present proof of financial responsibility 4934  
through use of an electronic wireless communications device as 4935  
permitted by division (G) (1) (b) of this section. 4936

If the registrar determines, within forty-five days after 4937  
the report is filed, that an operator or owner has violated 4938  
division (A) (1) of this section, the registrar shall do all of 4939  
the following: 4940

(a) Order the impoundment, with respect to the motor 4941  
vehicle involved, required under division (A) (2) (d) of this 4942  
section, of the certificate of registration and license plates 4943  
of any owner who has violated division (A) (1) of this section; 4944

(b) Order the suspension required under division (A) (2) 4945

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(a), (b), or (c) of this section of the license of any operator 4946  
or owner who has violated division (A)(1) of this section; 4947

(c) Record the name and address of the person whose 4948  
certificate of registration and license plates have been 4949  
impounded or are under an order of impoundment, or whose license 4950  
has been suspended or is under an order of suspension; the 4951  
serial number of the person's license; the serial numbers of the 4952  
person's certificate of registration and license plates; and the 4953  
person's social security account number, if assigned, or, where 4954  
the motor vehicle is used for hire or principally in connection 4955  
with any established business, the person's federal taxpayer 4956  
identification number. The information shall be recorded in such 4957  
a manner that it becomes a part of the person's permanent 4958  
record, and assists the registrar in monitoring compliance with 4959  
the orders of suspension or impoundment. 4960

(d) Send written notification to every person to whom the 4961  
order pertains, at the person's last known address as shown on 4962  
the records of the bureau. The person, within ten days after the 4963  
date of the mailing of the notification, shall surrender to the 4964  
registrar, in a manner set forth in division (A)(4) of this 4965  
section, any certificate of registration and registration plates 4966  
under an order of impoundment, or any license under an order of 4967  
suspension. 4968

(2) The registrar shall issue any order under division (B) 4969  
(1) of this section without a hearing. Any person adversely 4970  
affected by the order, within ten days after the issuance of the 4971  
order, may request an administrative hearing before the 4972  
registrar, who shall provide the person with an opportunity for 4973  
a hearing in accordance with this paragraph. A request for a 4974  
hearing does not operate as a suspension of the order. The scope 4975

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of the hearing shall be limited to whether the person in fact 4976  
demonstrated to the registrar proof of financial responsibility 4977  
in accordance with this section. The registrar shall determine 4978  
the date, time, and place of any hearing, provided that the 4979  
hearing shall be held, and an order issued or findings made, 4980  
within thirty days after the registrar receives a request for a 4981  
hearing. If requested by the person in writing, the registrar 4982  
may designate as the place of hearing the county seat of the 4983  
county in which the person resides or a place within fifty miles 4984  
of the person's residence. The person shall pay the cost of the 4985  
hearing before the registrar, if the registrar's order of 4986  
suspension or impoundment is upheld. 4987

(C) Any order of suspension or impoundment issued under 4988  
this section or division (B) of section 4509.37 of the Revised 4989  
Code may be terminated at any time if the registrar determines 4990  
upon a showing of proof of financial responsibility that the 4991  
operator or owner of the motor vehicle was in compliance with 4992  
division (A) (1) of this section at the time of the traffic 4993  
offense, motor vehicle inspection, or accident that resulted in 4994  
the order against the person. A determination may be made 4995  
without a hearing. This division does not apply unless the 4996  
person shows good cause for the person's failure to present 4997  
satisfactory proof of financial responsibility to the registrar 4998  
prior to the issuance of the order. 4999

(D) (1) (a) For the purpose of enforcing this section, every 5000  
peace officer is deemed an agent of the registrar. 5001

(b) Any peace officer who, in the performance of the peace 5002  
officer's duties as authorized by law, becomes aware of a person 5003  
whose license is under an order of suspension, or whose 5004  
certificate of registration and license plates are under an 5005

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order of impoundment, pursuant to this section, may confiscate 5006  
the license, certificate of registration, and license plates, 5007  
and return them to the registrar. 5008

(2) A peace officer shall request the owner or operator of 5009  
a motor vehicle to produce proof of financial responsibility in 5010  
a manner described in division (G) of this section at the time 5011  
the peace officer acts to enforce the traffic laws of this state 5012  
and during motor vehicle inspections conducted pursuant to 5013  
section 4513.02 of the Revised Code. 5014

(3) A peace officer shall indicate on every traffic ticket 5015  
whether the person receiving the traffic ticket produced proof 5016  
of the maintenance of financial responsibility in response to 5017  
the officer's request under division (D) (2) of this section. The 5018  
peace officer shall inform every person who receives a traffic 5019  
ticket and who has failed to produce proof of the maintenance of 5020  
financial responsibility that the person must submit proof to 5021  
the traffic violations bureau with any payment of a fine and 5022  
costs for the ticketed violation or, if the person is to appear 5023  
in court for the violation, the person must submit proof to the 5024  
court. 5025

(4) (a) If a person who has failed to produce proof of the 5026  
maintenance of financial responsibility appears in court for a 5027  
ticketed violation, the court may permit the defendant to 5028  
present evidence of proof of financial responsibility to the 5029  
court at such time and in such manner as the court determines to 5030  
be necessary or appropriate. In a manner prescribed by the 5031  
registrar, the clerk of courts shall provide the registrar with 5032  
the identity of any person who fails to submit proof of the 5033  
maintenance of financial responsibility pursuant to division (D) 5034  
(3) of this section. 5035

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(b) If a person who has failed to produce proof of the 5036  
maintenance of financial responsibility also fails to submit 5037  
that proof to the traffic violations bureau with payment of a 5038  
fine and costs for the ticketed violation, the traffic 5039  
violations bureau, in a manner prescribed by the registrar, 5040  
shall notify the registrar of the identity of that person. 5041

(5) (a) Upon receiving notice from a clerk of courts or 5042  
traffic violations bureau pursuant to division (D) (4) of this 5043  
section, the registrar shall order the suspension of the license 5044  
of the person required under division (A) (2) (a), (b), or (c) of 5045  
this section and the impoundment of the person's certificate of 5046  
registration and license plates required under division (A) (2) 5047  
(d) of this section, effective thirty days after the date of the 5048  
mailing of notification. The registrar also shall notify the 5049  
person that the person must present the registrar with proof of 5050  
financial responsibility in accordance with this section, 5051  
surrender to the registrar the person's certificate of 5052  
registration, license plates, and license, or submit a statement 5053  
subject to section 2921.13 of the Revised Code that the person 5054  
did not operate or permit the operation of the motor vehicle at 5055  
the time of the offense. Notification shall be in writing and 5056  
shall be sent to the person at the person's last known address 5057  
as shown on the records of the bureau of motor vehicles. The 5058  
person, within fifteen days after the date of the mailing of 5059  
notification, shall present proof of financial responsibility, 5060  
surrender the certificate of registration, license plates, and 5061  
license to the registrar in a manner set forth in division (A) 5062  
(4) of this section, or submit the statement required under this 5063  
section together with other information the person considers 5064  
appropriate. 5065

If the registrar does not receive proof or the person does 5066

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not surrender the certificate of registration, license plates, 5067  
and license, in accordance with this division, the registrar 5068  
shall permit the order for the suspension of the license of the 5069  
person and the impoundment of the person's certificate of 5070  
registration and license plates to take effect. 5071

(b) In the case of a person who presents, within the 5072  
fifteen-day period, proof of financial responsibility, the 5073  
registrar shall terminate the order of suspension and the 5074  
impoundment of the registration and license plates required 5075  
under division (A) (2) (d) of this section and shall send written 5076  
notification to the person, at the person's last known address 5077  
as shown on the records of the bureau. 5078

(c) Any person adversely affected by the order of the 5079  
registrar under division (D) (5) (a) or (b) of this section, 5080  
within ten days after the issuance of the order, may request an 5081  
administrative hearing before the registrar, who shall provide 5082  
the person with an opportunity for a hearing in accordance with 5083  
this paragraph. A request for a hearing does not operate as a 5084  
suspension of the order. The scope of the hearing shall be 5085  
limited to whether, at the time of the hearing, the person 5086  
presents proof of financial responsibility covering the vehicle 5087  
and whether the person is eligible for an exemption in 5088  
accordance with this section or any rule adopted under it. The 5089  
registrar shall determine the date, time, and place of any 5090  
hearing; provided, that the hearing shall be held, and an order 5091  
issued or findings made, within thirty days after the registrar 5092  
receives a request for a hearing. If requested by the person, 5093  
the hearing may be held remotely by electronic means. If 5094  
requested by the person in writing, the registrar may designate 5095  
as the place of hearing the county seat of the county in which 5096  
the person resides or a place within fifty miles of the person's 5097

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residence. Such person shall pay the cost of the hearing before 5098  
the registrar, if the registrar's order of suspension or 5099  
impoundment under division (D) (5) (a) or (b) of this section is 5100  
upheld. 5101

(6) A peace officer may charge an owner or operator of a 5102  
motor vehicle with a violation of section 4510.16 of the Revised 5103  
Code when the owner or operator fails to show proof of the 5104  
maintenance of financial responsibility pursuant to a peace 5105  
officer's request under division (D) (2) of this section, if a 5106  
check of the owner or operator's driving record indicates that 5107  
the owner or operator, at the time of the operation of the motor 5108  
vehicle, is required to file and maintain proof of financial 5109  
responsibility under section 4509.45 of the Revised Code for a 5110  
previous violation of this chapter. 5111

(7) Any forms used by law enforcement agencies in 5112  
administering this section shall be prescribed, supplied, and 5113  
paid for by the registrar. 5114

(8) No peace officer, law enforcement agency employing a 5115  
peace officer, or political subdivision or governmental agency 5116  
that employs a peace officer shall be liable in a civil action 5117  
for damages or loss to persons arising out of the performance of 5118  
any duty required or authorized by this section. 5119

(9) As used in this section, "peace officer" has the 5120  
meaning set forth in section 2935.01 of the Revised Code. 5121

(E) All fees, except court costs, fees paid to a deputy 5122  
registrar, and those portions of the financial responsibility 5123  
reinstatement fees as otherwise specified in this division, 5124  
collected under this section shall be paid into the state 5125  
treasury to the credit of the public safety - highway purposes 5126



fund established in section 4501.06 of the Revised Code and used 5127  
to cover costs incurred by the bureau in the administration of 5128  
this section and sections 4503.20, 4507.212, and 4509.81 of the 5129  
Revised Code, and by any law enforcement agency employing any 5130  
peace officer who returns any license, certificate of 5131  
registration, and license plates to the registrar pursuant to 5132  
division (C) of this section. 5133

Of each financial responsibility reinstatement fee the 5134  
registrar collects pursuant to division (A) (5) (a) of this 5135  
section or receives from a deputy registrar under division (A) 5136  
(5) (d) of this section, the registrar shall deposit ten dollars 5137  
of each forty-dollar reinstatement fee, fifty dollars of each 5138  
three-hundred-dollar reinstatement fee, and one hundred dollars 5139  
of each six-hundred-dollar reinstatement fee into the state 5140  
treasury to the credit of the indigent defense support fund 5141  
created by section 120.08 of the Revised Code. 5142

(F) Chapter 119. of the Revised Code applies to this 5143  
section only to the extent that any provision in that chapter is 5144  
not clearly inconsistent with this section. 5145

(G) (1) (a) The registrar, court, traffic violations bureau, 5146  
or peace officer may require proof of financial responsibility 5147  
to be demonstrated by use of a standard form prescribed by the 5148  
registrar. If the use of a standard form is not required, a 5149  
person may demonstrate proof of financial responsibility under 5150  
this section by presenting to the traffic violations bureau, 5151  
court, registrar, or peace officer any of the following 5152  
documents or a copy of the documents: 5153

(i) A financial responsibility identification card as 5154  
provided in section 4509.103 of the Revised Code; 5155

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(ii) A certificate of proof of financial responsibility on 5156  
a form provided and approved by the registrar for the filing of 5157  
an accident report required to be filed under section 4509.06 of 5158  
the Revised Code; 5159

(iii) A policy of liability insurance, a declaration page 5160  
of a policy of liability insurance, or liability bond, if the 5161  
policy or bond complies with section 4509.20 or sections 4509.49 5162  
to 4509.61 of the Revised Code; 5163

(iv) A bond or certification of the issuance of a bond as 5164  
provided in section 4509.59 of the Revised Code; 5165

(v) A certificate of deposit of money or securities as 5166  
provided in section 4509.62 of the Revised Code; 5167

(vi) A certificate of self-insurance as provided in 5168  
section 4509.72 of the Revised Code. 5169

(b) A person also may present proof of financial 5170  
responsibility under this section to the traffic violations 5171  
bureau, court, registrar, or peace officer through use of an 5172  
electronic wireless communications device as specified under 5173  
section 4509.103 of the Revised Code. 5174

(2) If a person fails to demonstrate proof of financial 5175  
responsibility in a manner described in division (G)(1) of this 5176  
section, the person may demonstrate proof of financial 5177  
responsibility under this section by any other method that the 5178  
court or the bureau, by reason of circumstances in a particular 5179  
case, may consider appropriate. 5180

(3) A motor carrier certificated by the interstate 5181  
commerce commission or by the public utilities commission may 5182  
demonstrate proof of financial responsibility by providing a 5183  
statement designating the motor carrier's operating authority 5184

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and averring that the insurance coverage required by the 5185  
certificating authority is in full force and effect. 5186

(4) (a) A finding by the registrar or court that a person 5187  
is covered by proof of financial responsibility in the form of 5188  
an insurance policy or surety bond is not binding upon the named 5189  
insurer or surety or any of its officers, employees, agents, or 5190  
representatives and has no legal effect except for the purpose 5191  
of administering this section. 5192

(b) The preparation and delivery of a financial 5193  
responsibility identification card or any other document 5194  
authorized to be used as proof of financial responsibility and 5195  
the generation and delivery of proof of financial responsibility 5196  
to an electronic wireless communications device that is 5197  
displayed on the device as text or images does not do any of the 5198  
following: 5199

(i) Create any liability or estoppel against an insurer or 5200  
surety, or any of its officers, employees, agents, or 5201  
representatives; 5202

(ii) Constitute an admission of the existence of, or of 5203  
any liability or coverage under, any policy or bond; 5204

(iii) Waive any defenses or counterclaims available to an 5205  
insurer, surety, agent, employee, or representative in an action 5206  
commenced by an insured or third-party claimant upon a cause of 5207  
action alleged to have arisen under an insurance policy or 5208  
surety bond or by reason of the preparation and delivery of a 5209  
document for use as proof of financial responsibility or the 5210  
generation and delivery of proof of financial responsibility to 5211  
an electronic wireless communications device. 5212

(c) Whenever it is determined by a final judgment in a 5213

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judicial proceeding that an insurer or surety, which has been 5214  
named on a document or displayed on an electronic wireless 5215  
communications device accepted by a court or the registrar as 5216  
proof of financial responsibility covering the operation of a 5217  
motor vehicle at the time of an accident or offense, is not 5218  
liable to pay a judgment for injuries or damages resulting from 5219  
such operation, the registrar, notwithstanding any previous 5220  
contrary finding, shall forthwith suspend the operating 5221  
privileges and registration rights of the person against whom 5222  
the judgment was rendered as provided in division (A) (2) of this 5223  
section. 5224

(H) In order for any document or display of text or images 5225  
on an electronic wireless communications device described in 5226  
division (G) (1) of this section to be used for the demonstration 5227  
of proof of financial responsibility under this section, the 5228  
document or words or images shall state the name of the insured 5229  
or obligor, the name of the insurer or surety company, and the 5230  
effective and expiration dates of the financial responsibility, 5231  
and designate by explicit description or by appropriate 5232  
reference all motor vehicles covered which may include a 5233  
reference to fleet insurance coverage. 5234

(I) For purposes of this section, "owner" does not include 5235  
a licensed motor vehicle leasing dealer as defined in section 5236  
4517.01 of the Revised Code, but does include a motor vehicle 5237  
renting dealer as defined in section 4549.65 of the Revised 5238  
Code. Nothing in this section or in section 4509.51 of the 5239  
Revised Code shall be construed to prohibit a motor vehicle 5240  
renting dealer from entering into a contractual agreement with a 5241  
person whereby the person renting the motor vehicle agrees to be 5242  
solely responsible for maintaining proof of financial 5243  
responsibility, in accordance with this section, with respect to 5244

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the operation, maintenance, or use of the motor vehicle during 5245  
the period of the motor vehicle's rental. 5246

(J) The purpose of this section is to require the 5247  
maintenance of proof of financial responsibility with respect to 5248  
the operation of motor vehicles on the highways of this state, 5249  
so as to minimize those situations in which persons are not 5250  
compensated for injuries and damages sustained in motor vehicle 5251  
accidents. The general assembly finds that this section contains 5252  
reasonable civil penalties and procedures for achieving this 5253  
purpose. 5254

(K) Nothing in this section shall be construed to be 5255  
subject to section 4509.78 of the Revised Code. 5256

(L) (1) The registrar may terminate any suspension imposed 5257  
under this section and not require the owner to comply with 5258  
divisions (A) (5) (a), (b), and (c) of this section if the 5259  
registrar with or without a hearing determines that the owner of 5260  
the vehicle has established by clear and convincing evidence 5261  
that all of the following apply: 5262

(a) The owner customarily maintains proof of financial 5263  
responsibility. 5264

(b) Proof of financial responsibility was not in effect 5265  
for the vehicle on the date in question for one of the following 5266  
reasons: 5267

(i) The vehicle was inoperable. 5268

(ii) The vehicle is operated only seasonally, and the date 5269  
in question was outside the season of operation. 5270

(iii) A person other than the vehicle owner or driver was 5271  
at fault for the lapse of proof of financial responsibility 5272

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through no fault of the owner or driver. 5273

(iv) The lapse of proof of financial responsibility was 5274  
caused by excusable neglect under circumstances that are not 5275  
likely to recur and do not suggest a purpose to evade the 5276  
requirements of this chapter. 5277

(2) The registrar may grant an owner or driver relief for 5278  
a reason specified in division (L) (1) (b) (iii) or (iv) of this 5279  
section only if the owner or driver has not previously been 5280  
granted relief under division (L) (1) (b) (iii) or (iv) of this 5281  
section. 5282

(M) The registrar shall adopt rules in accordance with 5283  
Chapter 119. of the Revised Code that are necessary to 5284  
administer and enforce this section. The rules shall include 5285  
procedures for the surrender of license plates upon failure to 5286  
maintain proof of financial responsibility and provisions 5287  
relating to reinstatement of registration rights, acceptable 5288  
forms of proof of financial responsibility, the use of an 5289  
electronic wireless communications device to present proof of 5290  
financial responsibility, and verification of the existence of 5291  
financial responsibility during the period of registration. 5292

(N) (1) When a person utilizes an electronic wireless 5293  
communications device to present proof of financial 5294  
responsibility, only the evidence of financial responsibility 5295  
displayed on the device shall be viewed by the registrar, peace 5296  
officer, employee or official of the traffic violations bureau, 5297  
or the court. No other content of the device shall be viewed for 5298  
purposes of obtaining proof of financial responsibility. 5299

(2) When a person provides an electronic wireless 5300  
communications device to the registrar, a peace officer, an 5301

employee or official of a traffic violations bureau, or the 5302  
court, the person assumes the risk of any resulting damage to 5303  
the device unless the registrar, peace officer, employee, or 5304  
official, or court personnel purposely, knowingly, or recklessly 5305  
commits an action that results in damage to the device. 5306

**Sec. 4517.261.** (A) For the purposes of this section, 5307  
"consumer price index" means the index, as prepared by the 5308  
United States bureau of labor statistics (U.S. city average for 5309  
urban wage earners and clerical workers: all items) or, if that 5310  
index is no longer published, a generally available comparable 5311  
index as determined by the registrar of motor vehicles. 5312

(B) A motor vehicle dealer may contract for and receive a 5313  
documentary service charge for a retail or wholesale sale or 5314  
lease of a motor vehicle. A documentary service charge shall be 5315  
specified in writing without itemization of the individual 5316  
services provided. A documentary service charge shall be not 5317  
more than the lesser of the following: 5318

~~(A)~~ (1) The amount allowed in a retail installment sale, 5319  
adjusted as required by division (C) of this section; 5320

~~(B)~~ (2) Ten per cent of the amount the buyer or lessee is 5321  
required to pay pursuant to the contract, excluding tax, title, 5322  
and registration fees, and any negative equity adjustment. 5323

(C) (1) On the effective date of this amendment, and on the 5324  
last day of each September that begins thereafter, the registrar 5325  
of motor vehicles shall adjust the documentary service charge 5326  
allowed under division (B) (1) of this section in connection with 5327  
the sale or lease of a motor vehicle by adding two hundred fifty 5328  
dollars to the product of two hundred fifty dollars times the 5329  
cumulative percentage change in the consumer price index since 5330

July 1, 2006, based on the most recently published data, and 5331  
rounding to the nearest one-dollar increment. 5332

(2) Subject to division (C) (3) of this section, the 5333  
adjusted documentary service charge computed under division (C) 5334  
(1) of this section applies as follows: 5335

(a) For the first adjustment required by division (C) (1) 5336  
of this section, from the effective date of this amendment until 5337  
the last day of December following the second adjustment 5338  
required by that division; 5339

(b) For the second and all subsequent adjustments required 5340  
by division (C) (1) of this section, for the full calendar year 5341  
following the date of the adjustment. 5342

(3) If the adjustment required by division (C) (1) of this 5343  
section results in an amount less than the documentary service 5344  
charge allowed at the time the adjustment is made, then the 5345  
maximum documentary service charge per sale at the time the 5346  
adjustment is made applies for the following calendar year. 5347

(4) The registrar shall publish the adjusted documentary 5348  
service charge amount and the dates to which it applies on a web 5349  
site maintained by the department of public safety. 5350

(5) The adjusted documentary service charge determined 5351  
under division (C) of this section applies only with respect to 5352  
the sale or lease of a motor vehicle by a motor vehicle dealer, 5353  
and only if the adjusted documentary service charge does not 5354  
exceed the amount described in division (B) (2) of this section. 5355

**Section 2.** That existing sections 9.03, 120.54, 181.21, 5356  
 325.33, 345.13, 517.23, 1317.07, 1901.02, 1901.123, 1901.261, 5357  
 1907.11, 1907.143, 1907.261, 2303.081, 2303.201, 2505.02, 5358  
 2929.20, 2967.26, 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, 5359



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3517.992, 3517.993, 4507.112, 4509.101, and 4517.261 of the 5360  
Revised Code are hereby repealed. 5361

**Section 3.** That sections 135.032 and 135.321 of the 5362  
Revised Code are hereby repealed. 5363

**Section 4.** (A) All cases arising in the municipal 5364  
corporation of North Kingsville in Ashtabula County that are 5365  
pending in the Eastern County Court in Ashtabula County on 5366  
January 1, 2025, shall be adjudicated by the Ashtabula County 5367  
County Court. All cases arising in the municipal corporation of 5368  
North Kingsville in Ashtabula County on or after January 1, 5369  
2025, shall be brought before the Conneaut Municipal Court. 5370

(B) All cases arising in Kingsville, Monroe, and Sheffield 5371  
Townships in Ashtabula County that are pending in the Eastern 5372  
County Court in Ashtabula County on January 1, 2025, shall be 5373  
adjudicated by the Ashtabula County County Court. All cases 5374  
arising in Kingsville, Monroe, and Sheffield Townships in 5375  
Ashtabula County on or after January 1, 2025, shall be brought 5376  
before the Conneaut Municipal Court. 5377

**Section 5.** Any fees that were collected by a clerk of 5378  
court serving as a third-party administrator of a motor vehicle 5379  
skills test under section 4507.112 of the Revised Code beginning 5380  
on April 12, 2021, until the effective date of this section 5381  
shall be paid into the county treasury to the credit of the 5382  
certificate of title administration fund, as established in 5383  
section 325.33 of the Revised Code. 5384

# **Exhibit E**

**As Passed by the Senate**

**135th General Assembly**

**Special Session**

**2023-2024**

**Am. Sub. H. B. No. 271**

**Representatives Mathews, Peterson**

**Cosponsors: Representatives Gross, Hall, Abrams, Baker, Barhorst, Brennan, Brent, Brewer, Carruthers, Claggett, Creech, Cross, Daniels, Dell'Aquila, Denson, Dobos, Forhan, Ghanbari, Hillyer, Holmes, Jarrells, Johnson, Jones, King, Klopfenstein, Lampton, Liston, Lorenz, McClain, McNally, Miller, J., Miller, M., Mohamed, Patton, Pavliga, Piccolantonio, Pizzulli, Robb Blasdel, Russo, Somani, Swearingen, Thomas, C., Troy, Whitted, Wiggam, Williams**

**Senators Brenner, Cirino, Schaffer**

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**A BILL**

To amend sections 3505.06, 3517.01, 3517.10,	1
3517.12, 3517.13, 3517.155, 3517.992, and	2
3517.993 of the Revised Code to specify that	3
state questions and issues appearing on ballots	4
must be numbered consecutively based on the	5
previous election and to respond to the	6
Governor's proclamation calling a special	7
session of the General Assembly by modifying the	8
Campaign Finance Law and delaying the deadline	9
for a major political party to certify its	10
presidential and vice presidential candidates to	11
the Secretary of State for the 2024 general	12
election.	13

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3505.06, 3517.01, 3517.10, 14

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3517.12, 3517.13, 3517.155, 3517.992, and 3517.993 of the 15  
Revised Code be amended to read as follows: 16

**Sec. 3505.06.** (A) On the questions and issues ballot shall 17  
be printed all questions and issues to be submitted at any one 18  
election together with the percentage of affirmative votes 19  
necessary for passage as required by law. Such ballot shall have 20  
printed across the top thereof, and below the stubs, "Official 21  
Questions and Issues Ballot." 22

(B) (1) Questions and issues shall be grouped together on 23  
the ballot from top to bottom as provided in division (B) (1) of 24  
this section, except as otherwise provided in division (B) (2) of 25  
this section. State questions and issues shall always appear as 26  
the top group of questions and issues. In calendar year 1997, 27  
the following questions and issues shall be grouped together on 28  
the ballot, in the following order from top to bottom, after the 29  
state questions and issues: 30

(a) County questions and issues; 31

(b) Municipal questions and issues; 32

(c) Township questions and issues; 33

(d) School or other district questions and issues. 34

In each succeeding calendar year after 1997, each group of 35  
questions and issues described in division (B) (1) (a) to (d) of 36  
this section shall be moved down one place on the ballot except 37  
that the group that was last on the ballot during the 38  
immediately preceding calendar year shall appear at the top of 39  
the ballot after the state questions and issues. The rotation 40  
shall be performed only once each calendar year, beginning with 41  
the first election held during the calendar year. The rotation 42  
of groups of questions and issues shall be performed during each 43

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calendar year as required by division (B) (1) of this section, 44  
even if no questions and issues from any one or more such groups 45  
appear on the ballot at any particular election held during that 46  
calendar year. 47

(2) Questions and issues shall be grouped together on the 48  
ballot, from top to bottom, in the following order when it is 49  
not practicable to group them together as required by division 50  
(B) (1) of this section because of the type of voting machines 51  
used by the board of elections: state questions and issues, 52  
county questions and issues, municipal questions and issues, 53  
township questions and issues, and school or other district 54  
questions and issues. The particular order in which each of a 55  
group of state questions or issues is placed on the ballot shall 56  
be determined by, and certified to each board of elections by, 57  
the secretary of state. 58

(3) Failure of the board of elections to rotate questions 59  
and issues as required by division (B) (1) of this section does 60  
not affect the validity of the election at which the failure 61  
occurred, and is not grounds for contesting an election under 62  
section 3515.08 of the Revised Code. 63

(C) The particular order in which each of a group of 64  
county, municipal, township, or school district questions or 65  
issues is placed on the ballot shall be determined by the board 66  
providing the ballots. 67

(D) The printed matter pertaining to each question or 68  
issue on the ballot shall be enclosed at the top and bottom 69  
thereof by a heavy horizontal line across the width of the 70  
ballot. Immediately below such top line shall be printed a brief 71  
title descriptive of the question or issue below it, such as 72  
"Proposed Constitutional Amendment," "Proposed Bond Issue," 73

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"Proposed Annexation of Territory," "Proposed Increase in Tax  
 Rate," or such other brief title as will be descriptive of the  
 question or issue to which it pertains, together with a brief  
 statement of the percentage of affirmative votes necessary for  
 passage, such as "A sixty-five per cent affirmative vote is  
 necessary for passage," "A majority vote is necessary for  
 passage," or such other brief statement as will be descriptive  
 of the percentage of affirmative votes required.

(E) The questions and issues ballot need not contain the  
 full text of the proposal to be voted upon. A condensed text  
 that will properly describe the question, issue, or an amendment  
 proposed by other than the general assembly shall be used as  
 prepared and certified by the secretary of state for state-wide  
 questions or issues or by the board for local questions or  
 issues. If other than a full text is used, the full text of the  
 proposed question, issue, or amendment together with the  
 percentage of affirmative votes necessary for passage as  
 required by law shall be posted in each polling place in some  
 spot that is easily accessible to the voters.

~~(F) Each~~ (F) (1) Except as otherwise provided in division  
(F) (2) of this section, each question and issue appearing on the  
 questions and issues ballot may be consecutively numbered. The  
 question or issue determined to appear at the top of the ballot  
 may be designated on the face thereof by the Arabic numeral "1"  
 and all questions and issues placed below on the ballot shall be  
 consecutively numbered. Such numeral shall be placed below the  
 heavy top horizontal line enclosing such question or issue and  
 to the left of the brief title thereof.

(2) Beginning with the general election to be held on  
November 5, 2024, a state question or issue determined to appear

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at the top of the ballot shall be designated on the face thereof 104  
by the Arabic numeral "1" and all state questions and issues 105  
placed below on the ballot shall be consecutively numbered. For 106  
elections occurring after the general election held on November 107  
5, 2024, a state question or issue determined to appear at the 108  
top of the ballot shall be designated on the face thereof by the 109  
Arabic numeral that is consecutive to the Arabic numeral of the 110  
last state question or issue that appeared on the ballot at the 111  
immediately preceding election at which a state question or 112  
issue appeared on the ballot and all state questions or issues 113  
placed below on the ballot shall be consecutively numbered. Such 114  
numeral shall be placed below the heavy top horizontal line 115  
enclosing such question or issue and to the left of the brief 116  
title thereof. Once a state question or issue appears on the 117  
ballot designated by the Arabic numeral "500," the state 118  
question or issue appearing at the top of the ballot at the 119  
immediately following election at which a state question or 120  
issue appears on the ballot shall be designated by the Arabic 121  
numeral "1." 122

(G) No portion of a ballot question proposing to levy a 123  
property tax in excess of the ten-mill limitation under any 124  
section of the Revised Code, including the renewal or 125  
replacement of such a levy, may be printed in boldface type or 126  
in a font size that is different from the font size of other 127  
text in the ballot question. The prohibitions in division (G) of 128  
this section do not apply to printed matter either described in 129  
division (D) of this section related to such a ballot question 130  
or located in the area of the ballot in which votes are 131  
indicated for or against that question. 132

**Sec. 3517.01.** (A) (1) A political party within the meaning 133  
of Title XXXV of the Revised Code is any group of voters that 134

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meets either of the following requirements: 135

(a) Except as otherwise provided in this division, at the 136  
most recent regular state election, the group polled for its 137  
candidate for governor in the state or nominees for presidential 138  
electors at least three per cent of the entire vote cast for 139  
that office. A group that meets the requirements of this 140  
division remains a political party for a period of four years 141  
after meeting those requirements. 142

(b) The group filed with the secretary of state, 143  
subsequent to its failure to meet the requirements of division 144  
(A)(1)(a) of this section, a party formation petition that meets 145  
all of the following requirements: 146

(i) The petition is signed by qualified electors equal in 147  
number to at least one per cent of the total vote for governor 148  
or nominees for presidential electors at the most recent 149  
election for such office. 150

(ii) The petition is signed by not fewer than five hundred 151  
qualified electors from each of at least a minimum of one-half 152  
of the congressional districts in this state. If an odd number 153  
of congressional districts exists in this state, the number of 154  
districts that results from dividing the number of congressional 155  
districts by two shall be rounded up to the next whole number. 156

(iii) The petition declares the petitioners' intention of 157  
organizing a political party, the name of which shall be stated 158  
in the declaration, and of participating in the succeeding 159  
general election, held in even-numbered years, that occurs more 160  
than one hundred twenty-five days after the date of filing. 161

(iv) The petition designates a committee of not less than 162  
three nor more than five individuals of the petitioners, who 163



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shall represent the petitioners in all matters relating to the 164  
petition. Notice of all matters or proceedings pertaining to the 165  
petition may be served on the committee, or any of them, either 166  
personally or by registered mail, or by leaving such notice at 167  
the usual place of residence of each of them. 168

(2) No such group of electors shall assume a name or 169  
designation that is similar, in the opinion of the secretary of 170  
state, to that of an existing political party as to confuse or 171  
mislead the voters at an election. 172

(B) A campaign committee shall be legally liable for any 173  
debts, contracts, or expenditures incurred or executed in its 174  
name. 175

(C) Notwithstanding the definitions found in section 176  
3501.01 of the Revised Code, as used in this section and 177  
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 178  
Revised Code: 179

(1) "Campaign committee" means a candidate or a 180  
combination of two or more persons authorized by a candidate 181  
under section 3517.081 of the Revised Code to receive 182  
contributions and make expenditures. 183

(2) "Campaign treasurer" means an individual appointed by 184  
a candidate under section 3517.081 of the Revised Code. 185

(3) "Candidate" has the same meaning as in division (H) of 186  
section 3501.01 of the Revised Code and also includes any person 187  
who, at any time before or after an election, receives 188  
contributions or makes expenditures or other use of 189  
contributions, has given consent for another to receive 190  
contributions or make expenditures or other use of 191  
contributions, or appoints a campaign treasurer, for the purpose 192

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of bringing about the person's nomination or election to public 193  
office. When two persons jointly seek the offices of governor 194  
and lieutenant governor, "candidate" means the pair of 195  
candidates jointly. "Candidate" does not include candidates for 196  
election to the offices of member of a county or state central 197  
committee, presidential elector, and delegate to a national 198  
convention or conference of a political party. 199

(4) "Continuing association" means an association, other 200  
than a campaign committee, political party, legislative campaign 201  
fund, political contributing entity, or labor organization, that 202  
is intended to be a permanent organization that has a primary 203  
purpose other than supporting or opposing specific candidates, 204  
political parties, or ballot issues, and that functions on a 205  
regular basis throughout the year. "Continuing association" 206  
includes organizations that are determined to be not organized 207  
for profit under subsection 501 and that are described in 208  
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 209  
Revenue Code. 210

(5) "Contribution" means a loan, gift, deposit, 211  
forgiveness of indebtedness, donation, advance, payment, or 212  
transfer of funds or anything of value, including a transfer of 213  
funds from an inter vivos or testamentary trust or decedent's 214  
estate, and the payment by any person other than the person to 215  
whom the services are rendered for the personal services of 216  
another person, which contribution is made, received, or used 217  
for the purpose of influencing the results of an election. Any 218  
loan, gift, deposit, forgiveness of indebtedness, donation, 219  
advance, payment, or transfer of funds or of anything of value, 220  
including a transfer of funds from an inter vivos or 221  
testamentary trust or decedent's estate, and the payment by any 222  
campaign committee, political action committee, legislative 223

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campaign fund, political party, political contributing entity, 224  
or person other than the person to whom the services are 225  
rendered for the personal services of another person, that is 226  
made, received, or used by a state or county political party, 227  
other than the moneys an entity may receive under sections 228  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 229  
considered to be a "contribution" for the purpose of section 230  
3517.10 of the Revised Code and shall be included on a statement 231  
of contributions filed under that section. 232

"Contribution" does not include any of the following: 233

(a) Services provided without compensation by individuals 234  
volunteering a portion or all of their time on behalf of a 235  
person; 236

(b) Ordinary home hospitality; 237

(c) The personal expenses of a volunteer paid for by that 238  
volunteer campaign worker; 239

(d) Any gift given to an entity pursuant to section 240  
3517.101 of the Revised Code; 241

(e) Any contribution as defined in section 3517.1011 of 242  
the Revised Code that is made, received, or used to pay the 243  
direct costs of producing or airing an electioneering 244  
communication; 245

(f) Any gift given to a state or county political party 246  
for the party's restricted fund under division (A)(2) of section 247  
3517.1012 of the Revised Code; 248

(g) Any gift given to a state political party for deposit 249  
in a Levin account pursuant to section 3517.1013 of the Revised 250  
Code. As used in this division, "Levin account" has the same 251

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meaning as in that section. 252

(h) Any donation given to a transition fund under section 253  
 3517.1014 of the Revised Code. 254

(6) "Expenditure" means the disbursement or use of a 255  
 contribution for the purpose of influencing the results of an 256  
 election or of making a charitable donation under division (G) 257  
 of section 3517.08 of the Revised Code. Any disbursement or use 258  
 of a contribution by a state or county political party is an 259  
 expenditure and shall be considered either to be made for the 260  
 purpose of influencing the results of an election or to be made 261  
 as a charitable donation under division (G) of section 3517.08 262  
 of the Revised Code and shall be reported on a statement of 263  
 expenditures filed under section 3517.10 of the Revised Code. 264  
 During the thirty days preceding a primary or general election, 265  
 any disbursement to pay the direct costs of producing or airing 266  
 a broadcast, cable, or satellite communication that refers to a 267  
 clearly identified candidate shall be considered to be made for 268  
 the purpose of influencing the results of that election and 269  
 shall be reported as an expenditure or as an independent 270  
 expenditure under section 3517.10 or 3517.105 of the Revised 271  
 Code, as applicable, except that the information required to be 272  
 reported regarding contributors for those expenditures or 273  
 independent expenditures shall be the same as the information 274  
 required to be reported under divisions (D)(1) and (2) of 275  
 section 3517.1011 of the Revised Code. 276

As used in this division, "broadcast, cable, or satellite 277  
 communication" and "refers to a clearly identified candidate" 278  
 have the same meanings as in section 3517.1011 of the Revised 279  
 Code. 280

(7) "Personal expenses" includes, but is not limited to, 281

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ordinary expenses for accommodations, clothing, food, personal 282  
motor vehicle or airplane, and home telephone. 283

(8) "Political action committee" means a combination of 284  
two or more persons, the primary or major purpose of which is to 285  
support or oppose any candidate, political party, or issue, or 286  
to influence the result of any election through express 287  
advocacy, and that is not a political party, a campaign 288  
committee, a political contributing entity, or a legislative 289  
campaign fund. "Political action committee" does not include 290  
either of the following: 291

(a) A continuing association that makes disbursements for 292  
the direct costs of producing or airing electioneering 293  
communications and that does not engage in express advocacy; 294

(b) A political club that is formed primarily for social 295  
purposes and that consists of one hundred members or less, has 296  
officers and periodic meetings, has less than two thousand five 297  
hundred dollars in its treasury at all times, and makes an 298  
aggregate total contribution of one thousand dollars or less per 299  
calendar year. 300

(9) "Public office" means any state, county, municipal, 301  
township, or district office, except an office of a political 302  
party, that is filled by an election and the offices of United 303  
States senator and representative. 304

(10) "Anything of value" has the same meaning as in 305  
section 1.03 of the Revised Code. 306

(11) "Beneficiary of a campaign fund" means a candidate, a 307  
public official or employee for whose benefit a campaign fund 308  
exists, and any other person who has ever been a candidate or 309  
public official or employee and for whose benefit a campaign 310

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fund exists. 311

(12) "Campaign fund" means money or other property, 312  
including contributions. 313

(13) "Public official or employee" has the same meaning as 314  
in section 102.01 of the Revised Code. 315

(14) "Caucus" means all of the members of the house of 316  
representatives or all of the members of the senate of the 317  
general assembly who are members of the same political party. 318

(15) "Legislative campaign fund" means a fund that is 319  
established as an auxiliary of a state political party and 320  
associated with one of the houses of the general assembly. 321

(16) "In-kind contribution" means anything of value other 322  
than money that is used to influence the results of an election 323  
or is transferred to or used in support of or in opposition to a 324  
candidate, campaign committee, legislative campaign fund, 325  
political party, political action committee, or political 326  
contributing entity and that is made with the consent of, in 327  
coordination, cooperation, or consultation with, or at the 328  
request or suggestion of the benefited candidate, committee, 329  
fund, party, or entity. The financing of the dissemination, 330  
distribution, or republication, in whole or part, of any 331  
broadcast or of any written, graphic, or other form of campaign 332  
materials prepared by the candidate, the candidate's campaign 333  
committee, or their authorized agents is an in-kind contribution 334  
to the candidate and an expenditure by the candidate. 335

~~(17)~~ (17) (a) "Independent expenditure" means ~~an either of~~ 336  
the following: 337

(i) An expenditure by a person advocating the election or 338  
defeat of an identified candidate or candidates, that is not 339

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made with the consent of, in coordination, cooperation, or 340  
consultation with, or at the request or suggestion of any 341  
candidate or candidates or of the campaign committee or agent of 342  
the candidate or candidates; 343

(ii) An expenditure by a person advocating support of or 344  
opposition to an identified ballot issue or question or to 345  
achieve the successful circulation of an initiative or 346  
referendum petition in order to place such an issue or question 347  
on the ballot, regardless of whether the ballot issue or 348  
question has yet been certified to appear on the ballot. As- 349

(b) As used in division ~~(C) (17)~~ (C) (17) (a) of this 350  
section: 351

~~(a)~~ (i) "Person" means an individual, partnership, 352  
unincorporated business organization or association, political 353  
action committee, political contributing entity, separate 354  
segregated fund, association, or other organization or group of 355  
persons, but not a labor organization or a corporation unless 356  
the labor organization or corporation is a political 357  
contributing entity. 358

~~(b)~~ (ii) "Advocating" means any communication containing a 359  
message advocating election or defeat. 360

~~(c)~~ (iii) "Identified candidate" means that the name of 361  
the candidate appears, a photograph or drawing of the candidate 362  
appears, or the identity of the candidate is otherwise apparent 363  
by unambiguous reference. 364

~~(d)~~ (iv) "Made in coordination, cooperation, or 365  
consultation with, or at the request or suggestion of, any 366  
candidate or the campaign committee or agent of the candidate" 367  
means made pursuant to any arrangement, coordination, or 368

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direction by the candidate, the candidate's campaign committee, 369  
or the candidate's agent prior to the publication, distribution, 370  
display, or broadcast of the communication. An expenditure is 371  
presumed to be so made when it is any of the following: 372

~~(i)~~ (I) Based on information about the candidate's plans, 373  
projects, or needs provided to the person making the expenditure 374  
by the candidate, or by the candidate's campaign committee or 375  
agent, with a view toward having an expenditure made; 376

~~(ii)~~ (II) Made by or through any person who is, or has 377  
been, authorized to raise or expend funds, who is, or has been, 378  
an officer of the candidate's campaign committee, or who is, or 379  
has been, receiving any form of compensation or reimbursement 380  
from the candidate or the candidate's campaign committee or 381  
agent; 382

~~(iii)~~ (III) Except as otherwise provided in division (D) 383  
of section 3517.105 of the Revised Code, made by a political 384  
party in support of a candidate, unless the expenditure is made 385  
by a political party to conduct voter registration or voter 386  
education efforts. 387

~~(e)~~ (v) "Agent" means any person who has actual oral or 388  
written authority, either express or implied, to make or to 389  
authorize the making of expenditures on behalf of a candidate, 390  
or means any person who has been placed in a position with the 391  
candidate's campaign committee or organization such that it 392  
would reasonably appear that in the ordinary course of campaign- 393  
related activities the person may authorize expenditures. 394

(18) "Labor organization" means a labor union; an employee 395  
organization; a federation of labor unions, groups, locals, or 396  
other employee organizations; an auxiliary of a labor union, 397



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employee organization, or federation of labor unions, groups, 398  
 locals, or other employee organizations; or any other bona fide 399  
 organization in which employees participate and that exists for 400  
 the purpose, in whole or in part, of dealing with employers 401  
 concerning grievances, labor disputes, wages, hours, and other 402  
 terms and conditions of employment. 403

(19) "Separate segregated fund" means a separate 404  
 segregated fund established pursuant to the Federal Election 405  
 Campaign Act. 406

(20) "Federal Election Campaign Act" means the "Federal 407  
 Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 408  
 seq., as amended. 409

(21) "Restricted fund" means the fund a state or county 410  
 political party must establish under division (A) (1) of section 411  
 3517.1012 of the Revised Code. 412

(22) "Electioneering communication" has the same meaning 413  
 as in section 3517.1011 of the Revised Code. 414

(23) "Express advocacy" means a communication that 415  
 contains express words advocating the nomination, election, or 416  
 defeat of a candidate or that contains express words advocating 417  
 the adoption or defeat of a question or issue, as determined by 418  
 a final judgment of a court of competent jurisdiction. 419

(24) "Political committee" has the same meaning as in 420  
 section 3517.1011 of the Revised Code. 421

(25) "Political contributing entity" means any entity, 422  
 including a corporation or labor organization, that may lawfully 423  
 make contributions and expenditures and that is not an 424  
 individual or a political action committee, continuing 425  
 association, campaign committee, political party, legislative 426

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campaign fund, designated state campaign committee, or state 427  
candidate fund. For purposes of this division, "lawfully" means 428  
not prohibited by any section of the Revised Code, or authorized 429  
by a final judgment of a court of competent jurisdiction. 430

(26) "Internet identifier of record" has the same meaning 431  
as in section 9.312 of the Revised Code. 432

**Sec. 3517.10.** (A) Except as otherwise provided in this 433  
division, every campaign committee, political action committee, 434  
legislative campaign fund, political party, and political 435  
contributing entity that made or received a contribution or made 436  
an expenditure in connection with the nomination or election of 437  
any candidate or in connection with any ballot issue or question 438  
at any election held or to be held in this state shall file, on 439  
a form prescribed under this section or by electronic means of 440  
transmission as provided in this section and section 3517.106 of 441  
the Revised Code, a full, true, and itemized statement, made 442  
under penalty of election falsification, setting forth in detail 443  
the contributions and expenditures, not later than four p.m. of 444  
the following dates: 445

(1) The twelfth day before the election to reflect 446  
contributions received and expenditures made from the close of 447  
business on the last day reflected in the last previously filed 448  
statement, if any, to the close of business on the twentieth day 449  
before the election; 450

(2) The thirty-eighth day after the election to reflect 451  
the contributions received and expenditures made from the close 452  
of business on the last day reflected in the last previously 453  
filed statement, if any, to the close of business on the seventh 454  
day before the filing of the statement; 455

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(3) The last business day of January of every year to 456  
reflect the contributions received and expenditures made from 457  
the close of business on the last day reflected in the last 458  
previously filed statement, if any, to the close of business on 459  
the last day of December of the previous year; 460

(4) The last business day of July of every year to reflect 461  
the contributions received and expenditures made from the close 462  
of business on the last day reflected in the last previously 463  
filed statement, if any, to the close of business on the last 464  
day of June of that year. 465

A campaign committee shall only be required to file the 466  
statements prescribed under divisions (A)(1) and (2) of this 467  
section in connection with the nomination or election of the 468  
committee's candidate. 469

The statement required under division (A)(1) of this 470  
section shall not be required of any campaign committee, 471  
political action committee, legislative campaign fund, political 472  
party, or political contributing entity that has received 473  
contributions of less than one thousand dollars and has made 474  
expenditures of less than one thousand dollars at the close of 475  
business on the twentieth day before the election. Those 476  
contributions and expenditures shall be reported in the 477  
statement required under division (A)(2) of this section. 478

If an election to select candidates to appear on the 479  
general election ballot is held within sixty days before a 480  
general election, the campaign committee of a successful 481  
candidate in the earlier election may file the statement 482  
required by division (A)(1) of this section for the general 483  
election instead of the statement required by division (A)(2) of 484  
this section for the earlier election if the pregeneral election 485

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statement reflects the status of contributions and expenditures 486  
for the period twenty days before the earlier election to twenty 487  
days before the general election. 488

If a person becomes a candidate less than twenty days 489  
before an election, the candidate's campaign committee is not 490  
required to file the statement required by division (A) (1) of 491  
this section. 492

No statement under division (A) (3) of this section shall 493  
be required for any year in which a campaign committee, 494  
political action committee, legislative campaign fund, political 495  
party, or political contributing entity is required to file a 496  
postgeneral election statement under division (A) (2) of this 497  
section. However, a statement under division (A) (3) of this 498  
section may be filed, at the option of the campaign committee, 499  
political action committee, legislative campaign fund, political 500  
party, or political contributing entity. 501

No campaign committee of a candidate for the office of 502  
chief justice or justice of the supreme court, and no campaign 503  
committee of a candidate for the office of judge of any court in 504  
this state, shall be required to file a statement under division 505  
(A) (4) of this section. 506

Except as otherwise provided in this paragraph and in the 507  
next paragraph of this section, the only campaign committees 508  
required to file a statement under division (A) (4) of this 509  
section are the campaign committee of a statewide candidate and 510  
the campaign committee of a candidate for county office. The 511  
campaign committee of a candidate for any other nonjudicial 512  
office is required to file a statement under division (A) (4) of 513  
this section if that campaign committee receives, during that 514  
period, contributions exceeding ten thousand dollars. 515

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No statement under division (A) (4) of this section shall 516  
 be required of a campaign committee, a political action 517  
 committee, a legislative campaign fund, a political party, or a 518  
 political contributing entity for any year in which the campaign 519  
 committee, political action committee, legislative campaign 520  
 fund, political party, or political contributing entity is 521  
 required to file a postprimary election statement under division 522  
 (A) (2) of this section. However, a statement under division (A) 523  
 (4) of this section may be filed at the option of the campaign 524  
 committee, political action committee, legislative campaign 525  
 fund, political party, or political contributing entity. 526

No statement under division (A) (3) or (4) of this section 527  
 shall be required if the campaign committee, political action 528  
 committee, legislative campaign fund, political party, or 529  
 political contributing entity has no contributions that it has 530  
 received and no expenditures that it has made since the last 531  
 date reflected in its last previously filed statement. However, 532  
 the campaign committee, political action committee, legislative 533  
 campaign fund, political party, or political contributing entity 534  
 shall file a statement to that effect, on a form prescribed 535  
 under this section and made under penalty of election 536  
 falsification, on the date required in division (A) (3) or (4) of 537  
 this section, as applicable. 538

The campaign committee of a statewide candidate shall file 539  
 a monthly statement of contributions received during each of the 540  
 months of July, August, and September in the year of the general 541  
 election in which the candidate seeks office. The campaign 542  
 committee of a statewide candidate shall file the monthly 543  
 statement not later than three business days after the last day 544  
 of the month covered by the statement. During the period 545  
 beginning on the nineteenth day before the general election in 546

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which a statewide candidate seeks election to office and 547  
extending through the day of that general election, each time 548  
the campaign committee of the joint candidates for the offices 549  
of governor and lieutenant governor or of a candidate for the 550  
office of secretary of state, auditor of state, treasurer of 551  
state, or attorney general receives a contribution from a 552  
contributor that causes the aggregate amount of contributions 553  
received from that contributor during that period to equal or 554  
exceed ten thousand dollars and each time the campaign committee 555  
of a candidate for the office of chief justice or justice of the 556  
supreme court receives a contribution from a contributor that 557  
causes the aggregate amount of contributions received from that 558  
contributor during that period to exceed ten thousand dollars, 559  
the campaign committee shall file a two-business-day statement 560  
reflecting that contribution. Contributions reported on a two- 561  
business-day statement required to be filed by a campaign 562  
committee of a statewide candidate in a primary election shall 563  
also be included in the postprimary election statement required 564  
to be filed by that campaign committee under division (A) (2) of 565  
this section. A two-business-day statement required by this 566  
paragraph shall be filed not later than two business days after 567  
receipt of the contribution. The statements required by this 568  
paragraph shall be filed in addition to any other statements 569  
required by this section. 570

Subject to the secretary of state having implemented, 571  
tested, and verified the successful operation of any system the 572  
secretary of state prescribes pursuant to divisions (C) (6) (b) 573  
and (D) (6) of this section and division (F) (1) of section 574  
3517.106 of the Revised Code for the filing of campaign finance 575  
statements by electronic means of transmission, a campaign 576  
committee of a statewide candidate shall file a two-business-day 577

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statement under the preceding paragraph by electronic means of 578  
transmission if the campaign committee is required to file a 579  
pre-election, postelection, or monthly statement of 580  
contributions and expenditures by electronic means of 581  
transmission under this section or section 3517.106 of the 582  
Revised Code. 583

If a campaign committee or political action committee has 584  
no balance on hand and no outstanding obligations and desires to 585  
terminate itself, it shall file a statement to that effect, on a 586  
form prescribed under this section and made under penalty of 587  
election falsification, with the official with whom it files a 588  
statement under division (A) of this section after filing a 589  
final statement of contributions and a final statement of 590  
expenditures, if contributions have been received or 591  
expenditures made since the period reflected in its last 592  
previously filed statement. 593

(B) Except as otherwise provided in division (C) (7) of 594  
this section, each statement required by division (A) of this 595  
section shall contain the following information: 596

(1) The full name and address of each campaign committee, 597  
political action committee, legislative campaign fund, political 598  
party, or political contributing entity, including any treasurer 599  
of the committee, fund, party, or entity, filing a contribution 600  
and expenditure statement; 601

(2) (a) In the case of a campaign committee, the 602  
candidate's full name and address; 603

(b) In the case of a political action committee, the 604  
registration number assigned to the committee under division (D) 605  
(1) of this section. 606

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(3) The date of the election and whether it was or will be 607  
a general, primary, or special election; 608

(4) A statement of contributions received, which shall 609  
include the following information: 610

(a) The month, day, and year of the contribution; 611

(b)(i) The full name and address of each person, political 612  
party, campaign committee, legislative campaign fund, political 613  
action committee, or political contributing entity from whom 614  
contributions are received and the registration number assigned 615  
to the political action committee under division (D)(1) of this 616  
section. The requirement of filing the full address does not 617  
apply to any statement filed by a state or local committee of a 618  
political party, to a finance committee of such committee, or to 619  
a committee recognized by a state or local committee as its 620  
fund-raising auxiliary. Notwithstanding division (F) of this 621  
section, the requirement of filing the full address shall be 622  
considered as being met if the address filed is the same address 623  
the contributor provided under division (E)(1) of this section. 624

(ii) If a political action committee, political 625  
contributing entity, legislative campaign fund, or political 626  
party that is required to file campaign finance statements by 627  
electronic means of transmission under section 3517.106 of the 628  
Revised Code or a campaign committee of a statewide candidate or 629  
candidate for the office of member of the general assembly 630  
receives a contribution from an individual that exceeds one 631  
hundred dollars, the name of the individual's current employer, 632  
if any, or, if the individual is self-employed, the individual's 633  
occupation and the name of the individual's business, if any; 634

(iii) If a campaign committee of a statewide candidate or 635



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candidate for the office of member of the general assembly 636  
receives a contribution transmitted pursuant to section 3599.031 637  
of the Revised Code from amounts deducted from the wages and 638  
salaries of two or more employees that exceeds in the aggregate 639  
one hundred dollars during any one filing period under division 640  
(A)(1), (2), (3), or (4) of this section, the full name of the 641  
employees' employer and the full name of the labor organization 642  
of which the employees are members, if any. 643

(c) A description of the contribution received, if other 644  
than money; 645

(d) The value in dollars and cents of the contribution; 646

(e) A separately itemized account of all contributions and 647  
expenditures regardless of the amount, except a receipt of a 648  
contribution from a person in the sum of twenty-five dollars or 649  
less at one social or fund-raising activity and a receipt of a 650  
contribution transmitted pursuant to section 3599.031 of the 651  
Revised Code from amounts deducted from the wages and salaries 652  
of employees if the contribution from the amount deducted from 653  
the wages and salary of any one employee is twenty-five dollars 654  
or less aggregated in a calendar year. An account of the total 655  
contributions from each social or fund-raising activity shall 656  
include a description of and the value of each in-kind 657  
contribution received at that activity from any person who made 658  
one or more such contributions whose aggregate value exceeded 659  
two hundred fifty dollars and shall be listed separately, 660  
together with the expenses incurred and paid in connection with 661  
that activity. A campaign committee, political action committee, 662  
legislative campaign fund, political party, or political 663  
contributing entity shall keep records of contributions from 664  
each person in the amount of twenty-five dollars or less at one 665

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social or fund-raising activity and contributions from amounts 666  
deducted under section 3599.031 of the Revised Code from the 667  
wages and salary of each employee in the amount of twenty-five 668  
dollars or less aggregated in a calendar year. No continuing 669  
association that is recognized by a state or local committee of 670  
a political party as an auxiliary of the party and that makes a 671  
contribution from funds derived solely from regular dues paid by 672  
members of the auxiliary shall be required to list the name or 673  
address of any members who paid those dues. 674

Contributions that are other income shall be itemized 675  
separately from all other contributions. The information 676  
required under division (B)(4) of this section shall be provided 677  
for all other income itemized. As used in this paragraph, "other 678  
income" means a loan, investment income, or interest income. 679

(f) In the case of a campaign committee of a state elected 680  
officer, if a person doing business with the state elected 681  
officer in the officer's official capacity makes a contribution 682  
to the campaign committee of that officer, the information 683  
required under division (B)(4) of this section in regard to that 684  
contribution, which shall be filed together with and considered 685  
a part of the committee's statement of contributions as required 686  
under division (A) of this section but shall be filed on a 687  
separate form provided by the secretary of state. As used in 688  
this division: 689

(i) "State elected officer" has the same meaning as in 690  
section 3517.092 of the Revised Code. 691

(ii) "Person doing business" means a person or an officer 692  
of an entity who enters into one or more contracts with a state 693  
elected officer or anyone authorized to enter into contracts on 694  
behalf of that officer to receive payments for goods or 695

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services, if the payments total, in the aggregate, more than 696  
five thousand dollars during a calendar year. 697

(5) A statement of expenditures which shall include the 698  
following information: 699

(a) The month, day, and year of the expenditure; 700

(b) The full name and address of each person, political 701  
party, campaign committee, legislative campaign fund, political 702  
action committee, or political contributing entity to whom the 703  
expenditure was made and the registration number assigned to the 704  
political action committee under division (D) (1) of this 705  
section; 706

(c) The object or purpose for which the expenditure was 707  
made; 708

(d) The amount of each expenditure. 709

(C) (1) The statement of contributions and expenditures 710  
shall be signed by the person completing the form. If a 711  
statement of contributions and expenditures is filed by 712  
electronic means of transmission pursuant to this section or 713  
section 3517.106 of the Revised Code, the electronic signature 714  
of the person who executes the statement and transmits the 715  
statement by electronic means of transmission, as provided in 716  
division (F) of section 3517.106 of the Revised Code, shall be 717  
attached to or associated with the statement and shall be 718  
binding on all persons and for all purposes under the campaign 719  
finance reporting law as if the signature had been handwritten 720  
in ink on a printed form. 721

(2) The person filing the statement, under penalty of 722  
election falsification, shall include with it a both of the 723  
following: 724

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(a) A list of each anonymous contribution, the 725  
circumstances under which it was received, and the reason it 726  
cannot be attributed to a specific donor; 727

(b) A certification that the campaign committee, political 728  
action committee, legislative campaign fund, political party, or 729  
political contributing entity, as applicable, has not knowingly 730  
accepted any contribution that is prohibited under this chapter 731  
or section 3599.03 or 3599.031 of the Revised Code, including 732  
under division (W) of section 3517.13 of the Revised Code, 733  
during the period covered by the statement. 734

(3) Each statement of a campaign committee of a candidate 735  
who holds public office shall contain a designation of each 736  
contributor who is an employee in any unit or department under 737  
the candidate's direct supervision and control. In a space 738  
provided in the statement, the person filing the statement shall 739  
affirm that each such contribution was voluntarily made. 740

(4) A campaign committee that did not receive 741  
contributions or make expenditures in connection with the 742  
nomination or election of its candidate shall file a statement 743  
to that effect, on a form prescribed under this section and made 744  
under penalty of election falsification, on the date required in 745  
division (A) (2) of this section. 746

(5) The campaign committee of any person who attempts to 747  
become a candidate and who, for any reason, does not become 748  
certified in accordance with Title XXXV of the Revised Code for 749  
placement on the official ballot of a primary, general, or 750  
special election to be held in this state, and who, at any time 751  
prior to or after an election, receives contributions or makes 752  
expenditures, or has given consent for another to receive 753  
contributions or make expenditures, for the purpose of bringing 754

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about the person's nomination or election to public office, 755  
shall file the statement or statements prescribed by this 756  
section and a termination statement, if applicable. Division (C) 757  
(5) of this section does not apply to any person with respect to 758  
an election to the offices of member of a county or state 759  
central committee, presidential elector, or delegate to a 760  
national convention or conference of a political party. 761

(6) (a) The statements required to be filed under this 762  
section shall specify the balance in the hands of the campaign 763  
committee, political action committee, legislative campaign 764  
fund, political party, or political contributing entity and the 765  
disposition intended to be made of that balance. 766

(b) The secretary of state shall prescribe the form for 767  
all statements required to be filed under this section and shall 768  
furnish the forms to the boards of elections in the several 769  
counties. The boards of elections shall supply printed copies of 770  
those forms without charge. The secretary of state shall 771  
prescribe the appropriate methodology, protocol, and data file 772  
structure for statements required or permitted to be filed by 773  
electronic means of transmission to the secretary of state or a 774  
board of elections under division (A) of this section, division 775  
(E) of section 3517.106, division (D) of section 3517.1011, 776  
division (B) of section 3517.1012, division (C) of section 777  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 778  
Revised Code. Subject to division (A) of this section, division 779  
(E) of section 3517.106, division (D) of section 3517.1011, 780  
division (B) of section 3517.1012, division (C) of section 781  
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 782  
Revised Code, the statements required to be stored on computer 783  
by the secretary of state under division (B) of section 3517.106 784  
of the Revised Code shall be filed in whatever format the 785

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secretary of state considers necessary to enable the secretary 786  
of state to store the information contained in the statements on 787  
computer. Any such format shall be of a type and nature that is 788  
readily available to whoever is required to file the statements 789  
in that format. 790

(c) The secretary of state shall assess the need for 791  
training regarding the filing of campaign finance statements by 792  
electronic means of transmission and regarding associated 793  
technologies for candidates, campaign committees, political 794  
action committees, legislative campaign funds, political 795  
parties, or political contributing entities, for individuals, 796  
partnerships, or other entities, for persons making 797  
disbursements to pay the direct costs of producing or airing 798  
electioneering communications, or for treasurers of transition 799  
funds, required or permitted to file statements by electronic 800  
means of transmission under this section or section 3517.105, 801  
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 802  
Revised Code. If, in the opinion of the secretary of state, 803  
training in these areas is necessary, the secretary of state 804  
shall arrange for the provision of voluntary training programs 805  
for candidates, campaign committees, political action 806  
committees, legislative campaign funds, political parties, or 807  
political contributing entities, for individuals, partnerships, 808  
and other entities, for persons making disbursements to pay the 809  
direct costs of producing or airing electioneering 810  
communications, or for treasurers of transition funds, as 811  
appropriate. 812

(7) Each monthly statement and each two-business-day 813  
statement required by division (A) of this section shall contain 814  
the information required by divisions (B)(1) to (4), (C)(2), 815  
and, if appropriate, (C)(3) of this section. Each statement 816

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shall be signed as required by division (C) (1) of this section.

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(D) (1) (a) Prior to receiving a contribution or making an  
expenditure, every campaign committee, political action  
committee, legislative campaign fund, political party, or  
political contributing entity shall appoint a treasurer and  
shall file, on a form prescribed by the secretary of state, a  
designation of that appointment, including the full name and  
address of the treasurer and of the campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity. That designation shall  
be filed with the official with whom the campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity is required to file  
statements under section 3517.11 of the Revised Code. The name  
of a campaign committee shall include at least the last name of  
the campaign committee's candidate. If two or more candidates  
are the beneficiaries of a single campaign committee under  
division (B) of section 3517.081 of the Revised Code, the name  
of the campaign committee shall include at least the last name  
of each candidate who is a beneficiary of that campaign  
committee. The secretary of state shall assign a registration  
number to each political action committee that files a  
designation of the appointment of a treasurer under this  
division if the political action committee is required by  
division (A) (1) of section 3517.11 of the Revised Code to file  
the statements prescribed by this section with the secretary of  
state.

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(b) The form of the designation of treasurer shall require  
the filer to certify, under penalty of election falsification,  
that the campaign committee, political action committee,  
legislative campaign fund, political party, or political

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contributing entity, as applicable, has not knowingly accepted, 848  
and will not knowingly accept, any contribution that is 849  
prohibited under this chapter or section 3599.03 or 3599.031 of 850  
the Revised Code, including under division (W) of section 851  
3517.13 of the Revised Code. 852

(c) The secretary of state shall not accept for filing a 853  
designation of treasurer of a political action committee or 854  
political contributing entity if, in the opinion of the 855  
secretary of state, the name of the political action committee 856  
or political contributing entity would lead a reasonable person 857  
to believe that the political action committee or political 858  
contributing entity acts on behalf of or represents a county 859  
political party, unless the designation is accompanied by a 860  
written statement, signed by the chairperson of the county 861  
political party's executive committee, granting the political 862  
action committee or political contributing entity permission to 863  
act on behalf of or represent the county political party. 864

(2) The treasurer appointed under division (D)(1) of this 865  
section shall keep a strict account of all contributions, from 866  
whom received and the purpose for which they were disbursed. 867

(3) (a) Except as otherwise provided in section 3517.108 of 868  
the Revised Code, a campaign committee shall deposit all 869  
monetary contributions received by the committee into an account 870  
separate from a personal or business account of the candidate or 871  
campaign committee. 872

(b) A political action committee shall deposit all 873  
monetary contributions received by the committee into an account 874  
separate from all other funds. 875

(c) A state or county political party may establish a 876



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state candidate fund that is separate from all other funds. A 877  
state or county political party may deposit into its state 878  
candidate fund any amounts of monetary contributions that are 879  
made to or accepted by the political party subject to the 880  
applicable limitations, if any, prescribed in section 3517.102 881  
of the Revised Code. A state or county political party shall 882  
deposit all other monetary contributions received by the party 883  
into one or more accounts that are separate from its state 884  
candidate fund. 885

(d) Each state political party shall have only one 886  
legislative campaign fund for each house of the general 887  
assembly. Each such fund shall be separate from any other funds 888  
or accounts of that state party. A legislative campaign fund is 889  
authorized to receive contributions and make expenditures for 890  
the primary purpose of furthering the election of candidates who 891  
are members of that political party to the house of the general 892  
assembly with which that legislative campaign fund is 893  
associated. Each legislative campaign fund shall be administered 894  
and controlled in a manner designated by the caucus. As used in 895  
this division, "caucus" has the same meaning as in section 896  
3517.01 of the Revised Code and includes, as an ex officio 897  
member, the chairperson of the state political party with which 898  
the caucus is associated or that chairperson's designee. 899

(4) Every expenditure in excess of twenty-five dollars 900  
shall be vouched for by a receipted bill, stating the purpose of 901  
the expenditure, that shall be filed with the statement of 902  
expenditures. A canceled check with a notation of the purpose of 903  
the expenditure is a receipted bill for purposes of division (D) 904  
(4) of this section. 905

(5) The secretary of state or the board of elections, as 906

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the case may be, shall issue a receipt for each statement filed 907  
under this section and shall preserve a copy of the receipt for 908  
a period of at least six years. All statements filed under this 909  
section shall be open to public inspection in the office where 910  
they are filed and shall be carefully preserved for a period of 911  
at least six years after the year in which they are filed. 912

(6) The secretary of state, by rule adopted pursuant to 913  
section 3517.23 of the Revised Code, shall prescribe both of the 914  
following: 915

(a) The manner of immediately acknowledging, with date and 916  
time received, and preserving the receipt of statements that are 917  
transmitted by electronic means of transmission to the secretary 918  
of state or a board of elections pursuant to this section or 919  
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 920  
of the Revised Code; 921

(b) The manner of preserving the contribution and 922  
expenditure, contribution and disbursement, deposit and 923  
disbursement, gift and disbursement, or donation and 924  
disbursement information in the statements described in division 925  
(D) (6) (a) of this section. The secretary of state shall preserve 926  
the contribution and expenditure, contribution and disbursement, 927  
deposit and disbursement, gift and disbursement, or donation and 928  
disbursement information in those statements for at least ten 929  
years after the year in which they are filed by electronic means 930  
of transmission. 931

(7) (a) The secretary of state, pursuant to division (G) of 932  
section 3517.106 of the Revised Code, shall make available 933  
online to the public through the internet the contribution and 934  
expenditure, contribution and disbursement, deposit and 935  
disbursement, gift and disbursement, or donation and 936

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disbursement information in all of the following documents: 937

(i) All statements, all addenda, amendments, or other 938  
corrections to statements, and all amended statements filed with 939  
the secretary of state by electronic or other means of 940  
transmission under this section, division (B) (2) (b) or (C) (2) (b) 941  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 942  
3517.1013, 3517.1014, or 3517.11 of the Revised Code; 943

(ii) All statements filed with a board of elections by 944  
electronic means of transmission, and all addenda, amendments, 945  
corrections, and amended versions of those statements, filed 946  
with the board under this section, division (B) (2) (b) or (C) (2) 947  
(b) of section 3517.105, or section 3517.106, 3517.1012, or 948  
3517.11 of the Revised Code. 949

(b) The secretary of state may remove the information from 950  
the internet after a reasonable period of time. 951

(E) (1) Any person, political party, campaign committee, 952  
legislative campaign fund, political action committee, or 953  
political contributing entity that makes a contribution in 954  
connection with the nomination or election of any candidate or 955  
in connection with any ballot issue or question at any election 956  
held or to be held in this state shall provide its full name and 957  
address to the recipient of the contribution at the time the 958  
contribution is made. The political action committee also shall 959  
provide the registration number assigned to the committee under 960  
division (D) (1) of this section to the recipient of the 961  
contribution at the time the contribution is made. 962

(2) Any individual who makes a contribution that exceeds 963  
one hundred dollars to a political action committee, political 964  
contributing entity, legislative campaign fund, or political 965

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party or to a campaign committee of a statewide candidate or 966  
candidate for the office of member of the general assembly shall 967  
provide the name of the individual's current employer, if any, 968  
or, if the individual is self-employed, the individual's 969  
occupation and the name of the individual's business, if any, to 970  
the recipient of the contribution at the time the contribution 971  
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 972  
apply to division (E)(2) of this section. 973

(3) If a campaign committee shows that it has exercised 974  
its best efforts to obtain, maintain, and submit the information 975  
required under divisions (B)(4)(b)(ii) and (iii) of this 976  
section, that committee is considered to have met the 977  
requirements of those divisions. A campaign committee shall not 978  
be considered to have exercised its best efforts unless, in 979  
connection with written solicitations, it regularly includes a 980  
written request for the information required under division (B) 981  
(4)(b)(ii) of this section from the contributor or the 982  
information required under division (B)(4)(b)(iii) of this 983  
section from whoever transmits the contribution. 984

(4) Any check that a political action committee uses to 985  
make a contribution or an expenditure shall contain the full 986  
name and address of the committee and the registration number 987  
assigned to the committee under division (D)(1) of this section. 988

(F) As used in this section: 989

(1)(a) Except as otherwise provided in division (F)(1) of 990  
this section, "address" means all of the following if they 991  
exist: apartment number, street, road, or highway name and 992  
number, rural delivery route number, city or village, state, and 993  
zip code as used in a person's post-office address, but not 994  
post-office box. 995

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(b) Except as otherwise provided in division (F)(1) of 996  
this section, if an address is required in this section, a post- 997  
office box and office, room, or suite number may be included in 998  
addition to, but not in lieu of, an apartment, street, road, or 999  
highway name and number. 1000

(c) If an address is required in this section, a campaign 1001  
committee, political action committee, legislative campaign 1002  
fund, political party, or political contributing entity may use 1003  
the business or residence address of its treasurer or deputy 1004  
treasurer. The post-office box number of the campaign committee, 1005  
political action committee, legislative campaign fund, political 1006  
party, or political contributing entity may be used in addition 1007  
to that address. 1008

(d) For the sole purpose of a campaign committee's 1009  
reporting of contributions on a statement of contributions 1010  
received under division (B)(4) of this section, "address" has 1011  
one of the following meanings at the option of the campaign 1012  
committee: 1013

(i) The same meaning as in division (F)(1)(a) of this 1014  
section; 1015

(ii) All of the following, if they exist: the 1016  
contributor's post-office box number and city or village, state, 1017  
and zip code as used in the contributor's post-office address. 1018

(e) As used with regard to the reporting under this 1019  
section of any expenditure, "address" means all of the following 1020  
if they exist: apartment number, street, road, or highway name 1021  
and number, rural delivery route number, city or village, state, 1022  
and zip code as used in a person's post-office address, or post- 1023  
office box. If an address concerning any expenditure is required 1024

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in this section, a campaign committee, political action 1025  
 committee, legislative campaign fund, political party, or 1026  
 political contributing entity may use the business or residence 1027  
 address of its treasurer or deputy treasurer or its post-office 1028  
 box number. 1029

(2) "Statewide candidate" means the joint candidates for 1030  
 the offices of governor and lieutenant governor or a candidate 1031  
 for the office of secretary of state, auditor of state, 1032  
 treasurer of state, attorney general, member of the state board 1033  
 of education, chief justice of the supreme court, or justice of 1034  
 the supreme court. 1035

(3) "Candidate for county office" means a candidate for 1036  
 the office of county auditor, county treasurer, clerk of the 1037  
 court of common pleas, judge of the court of common pleas, 1038  
 sheriff, county recorder, county engineer, county commissioner, 1039  
 prosecuting attorney, or coroner. 1040

(G) An independent expenditure shall be reported whenever 1041  
 and in the same manner that an expenditure is required to be 1042  
 reported under this section and shall be reported pursuant to 1043  
 division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the 1044  
 Revised Code. 1045

(H) (1) Except as otherwise provided in division (H) (2) of 1046  
 this section, if, during the combined pre-election and 1047  
 postelection reporting periods for an election, a campaign 1048  
 committee has received contributions of five hundred dollars or 1049  
 less and has made expenditures in the total amount of five 1050  
 hundred dollars or less, it may file a statement to that effect, 1051  
 under penalty of election falsification, in lieu of the 1052  
 statement required by division (A) (2) of this section. The 1053  
 statement shall indicate the total amount of contributions 1054

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received and the total amount of expenditures made during those 1055  
combined reporting periods. 1056

(2) In the case of a successful candidate at a primary 1057  
election, if either the total contributions received by or the 1058  
total expenditures made by the candidate's campaign committee 1059  
during the preprimary, postprimary, pregeneral, and postgeneral 1060  
election periods combined equal more than five hundred dollars, 1061  
the campaign committee may file the statement under division (H) 1062  
(1) of this section only for the primary election. The first 1063  
statement that the campaign committee files in regard to the 1064  
general election shall reflect all contributions received and 1065  
all expenditures made during the preprimary and postprimary 1066  
election periods. 1067

(3) Divisions (H) (1) and (2) of this section do not apply 1068  
if a campaign committee receives contributions or makes 1069  
expenditures prior to the first day of January of the year of 1070  
the election at which the candidate seeks nomination or election 1071  
to office or if the campaign committee does not file a 1072  
termination statement with its postprimary election statement in 1073  
the case of an unsuccessful primary election candidate or with 1074  
its postgeneral election statement in the case of other 1075  
candidates. 1076

(I) In the case of a contribution made by a partner of a 1077  
partnership or an owner or a member of another unincorporated 1078  
business from any funds of the partnership or other 1079  
unincorporated business, all of the following apply: 1080

(1) The recipient of the contribution shall report the 1081  
contribution by listing both the partnership or other 1082  
unincorporated business and the name of the partner, owner, or 1083  
member making the contribution. 1084

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(2) In reporting the contribution, the recipient of the 1085  
contribution shall be entitled to conclusively rely upon the 1086  
information provided by the partnership or other unincorporated 1087  
business, provided that the information includes one of the 1088  
following: 1089

(a) The name of each partner, owner, or member as of the 1090  
date of the contribution or contributions, and a statement that 1091  
the total contributions are to be allocated equally among all of 1092  
the partners, owners, or members; or 1093

(b) The name of each partner, owner, or member as of the 1094  
date of the contribution or contributions who is participating 1095  
in the contribution or contributions, and a statement that the 1096  
contribution or contributions are to be allocated to those 1097  
individuals in accordance with the information provided by the 1098  
partnership or other unincorporated business to the recipient of 1099  
the contribution. 1100

(3) For purposes of section 3517.102 of the Revised Code, 1101  
the contribution shall be considered to have been made by the 1102  
partner, owner, or member reported under division (I)(1) of this 1103  
section. 1104

(4) No contribution from a partner of a partnership or an 1105  
owner or a member of another unincorporated business shall be 1106  
accepted from any funds of the partnership or other 1107  
unincorporated business unless the recipient reports the 1108  
contribution under division (I)(1) of this section together with 1109  
the information provided under division (I)(2) of this section. 1110

(5) No partnership or other unincorporated business shall 1111  
make a contribution or contributions solely in the name of the 1112  
partnership or other unincorporated business. 1113



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(6) As used in division (I) of this section, "partnership 1114  
or other unincorporated business" includes, but is not limited 1115  
to, a cooperative, a sole proprietorship, a general partnership, 1116  
a limited partnership, a limited partnership association, a 1117  
limited liability partnership, and a limited liability company. 1118

(J) A candidate shall have only one campaign committee at 1119  
any given time for all of the offices for which the person is a 1120  
candidate or holds office. 1121

(K) (1) In addition to filing a designation of appointment 1122  
of a treasurer under division (D) (1) of this section, the 1123  
campaign committee of any candidate for an elected municipal 1124  
office that pays an annual amount of compensation of five 1125  
thousand dollars or less, the campaign committee of any 1126  
candidate for member of a board of education except member of 1127  
the state board of education, or the campaign committee of any 1128  
candidate for township trustee or township fiscal officer may 1129  
sign, under penalty of election falsification, a certificate 1130  
attesting that the committee will not accept contributions 1131  
during an election period that exceed in the aggregate two 1132  
thousand dollars from all contributors and one hundred dollars 1133  
from any one individual, and that the campaign committee will 1134  
not make expenditures during an election period that exceed in 1135  
the aggregate two thousand dollars. 1136

The certificate shall be on a form prescribed by the 1137  
secretary of state and shall be filed not later than ten days 1138  
after the candidate files a declaration of candidacy and 1139  
petition, a nominating petition, or a declaration of intent to 1140  
be a write-in candidate. 1141

(2) Except as otherwise provided in division (K) (3) of 1142  
this section, a campaign committee that files a certificate 1143

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under division (K) (1) of this section is not required to file 1144  
the statements required by division (A) of this section. 1145

(3) If, after filing a certificate under division (K) (1) 1146  
of this section, a campaign committee exceeds any of the 1147  
limitations described in that division during an election 1148  
period, the certificate is void and thereafter the campaign 1149  
committee shall file the statements required by division (A) of 1150  
this section. If the campaign committee has not previously filed 1151  
a statement, then on the first statement the campaign committee 1152  
is required to file under division (A) of this section after the 1153  
committee's certificate is void, the committee shall report all 1154  
contributions received and expenditures made from the time the 1155  
candidate filed the candidate's declaration of candidacy and 1156  
petition, nominating petition, or declaration of intent to be a 1157  
write-in candidate. 1158

(4) As used in division (K) of this section, "election 1159  
period" means the period of time beginning on the day a person 1160  
files a declaration of candidacy and petition, nominating 1161  
petition, or declaration of intent to be a write-in candidate 1162  
through the day of the election at which the person seeks 1163  
nomination to office if the person is not elected to office, or, 1164  
if the candidate was nominated in a primary election, the day of 1165  
the election at which the candidate seeks office. 1166

(L) A political contributing entity that receives 1167  
contributions from the dues, membership fees, or other 1168  
assessments of its members or from its officers, shareholders, 1169  
and employees may report the aggregate amount of contributions 1170  
received from those contributors and the number of individuals 1171  
making those contributions, for each filing period under 1172  
divisions (A) (1), (2), (3), and (4) of this section, rather than 1173

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reporting information as required under division (B) (4) of this 1174  
 section, including, when applicable, the name of the current 1175  
 employer, if any, of a contributor whose contribution exceeds 1176  
 one hundred dollars or, if such a contributor is self-employed, 1177  
 the contributor's occupation and the name of the contributor's 1178  
 business, if any. Division (B) (4) of this section applies to a 1179  
 political contributing entity with regard to contributions it 1180  
 receives from all other contributors. 1181

**Sec. 3517.12.** (A) ~~Prior to receiving a contribution or~~ 1182  
~~making an expenditure, the circulator or~~ If the committee in 1183  
 charge of an initiative or referendum petition, or supplementary 1184  
 petition for additional signatures, for the submission to the 1185  
electors of a constitutional amendment, proposed law, section, 1186  
 or item of any law wishes to receive any contribution or make 1187  
any expenditure for the purpose of achieving the successful 1188  
circulation of the petition, the committee shall ~~appoint a~~ 1189  
~~treasurer and shall file with the secretary of state, on a form~~ 1190  
~~prescribed by the secretary of state, a designation of that~~ 1191  
~~appointment, including the full name and address of the~~ 1192  
~~treasurer and of the circulator or committee~~ file a designation 1193  
of treasurer under division (D) of section 3517.10 of the 1194  
Revised Code as a political action committee before receiving a 1195  
contribution or making an expenditure and thereafter shall 1196  
comply with all applicable requirements of this chapter 1197  
concerning political action committees. 1198

(B) ~~The circulator or~~ If the committee in charge of an 1199  
 initiative or referendum petition, or supplementary petition for 1200  
 additional signatures, for the submission to the electors of a 1201  
 constitutional amendment, proposed law, section, or item of any 1202  
 law receives no contributions and makes no expenditures for the 1203  
purpose of achieving the successful circulation of the petition, 1204

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and is not otherwise considered a campaign committee, political 1205  
party, legislative campaign fund, political action committee, or 1206  
political contributing entity, then the committee shall, within 1207  
 thirty days after ~~those the~~ petition ~~papers are~~ is filed, file 1208  
 with the secretary of state, on a form prescribed by the 1209  
 secretary of state, ~~an itemized a~~ statement, made under penalty 1210  
 of election falsification, ~~showing in detail the following:~~ 1211

~~(1) All money or things of value paid, given, promised, or~~ 1212  
~~received for circulating the petitions;~~ 1213

~~(2) All appointments, promotions, or increases in salary,~~ 1214  
~~in positions which were given, promised, or received, or to~~ 1215  
~~obtain which assistance was given, promised, or received as a~~ 1216  
~~consideration for work done in circulating petitions;~~ 1217

~~(3) Full names and addresses, including street, city, and~~ 1218  
~~state, of all persons to whom such payments or promises were~~ 1219  
~~made and of all persons from whom such payments or promises were~~ 1220  
~~received;~~ 1221

~~(4) Full names and addresses, including street, city, and~~ 1222  
~~state, of all persons who contributed anything of value to be~~ 1223  
~~used in circulating the petitions, and the amounts of those~~ 1224  
~~contributions;~~ 1225

~~(5) Time spent and salaries earned while soliciting~~ 1226  
~~signatures to petitions by persons who were regular salaried~~ 1227  
~~employees of some person or whom that employer authorized to~~ 1228  
~~solicit as part of their regular duties.~~ 1229

If that the committee received no money or things of 1230  
~~value were paid or received or if no promises were made or~~ 1231  
~~received as a consideration for work done in circulating a~~ 1232  
~~petition, the statement shall contain words to that effect~~ 1233

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contributions and made no expenditures for the purpose of 1234  
achieving the successful circulation of the petition. 1235

~~(C) The treasurer designated under division (A) of this~~ 1236  
~~section shall file statements of contributions and expenditures~~ 1237  
~~in accordance with section 3517.10 of the Revised Code regarding~~ 1238  
~~all contributions made or received and all expenditures made by~~ 1239  
~~that treasurer or the circulator or committee in connection with~~ 1240  
~~the initiative or referendum petition, or supplementary petition~~ 1241  
~~for additional signatures, for the submission of a~~ 1242  
~~constitutional amendment, proposed law, section, or item of any~~ 1243  
~~law.~~ 1244

**Sec. 3517.13.** (A) (1) No campaign committee of a statewide 1245  
candidate shall fail to file a complete and accurate statement 1246  
required under division (A) (1) of section 3517.10 of the Revised 1247  
Code. 1248

(2) No campaign committee of a statewide candidate shall 1249  
fail to file a complete and accurate monthly statement, and no 1250  
campaign committee of a statewide candidate or a candidate for 1251  
the office of chief justice or justice of the supreme court 1252  
shall fail to file a complete and accurate two-business-day 1253  
statement, as required under section 3517.10 of the Revised 1254  
Code. 1255

As used in this division, "statewide candidate" has the 1256  
same meaning as in division (F) (2) of section 3517.10 of the 1257  
Revised Code. 1258

(B) No campaign committee shall fail to file a complete 1259  
and accurate statement required under division (A) (1) of section 1260  
3517.10 of the Revised Code. 1261

(C) No campaign committee shall fail to file a complete 1262

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and accurate statement required under division (A) (2) of section 1263  
3517.10 of the Revised Code. 1264

(D) No campaign committee shall fail to file a complete 1265  
and accurate statement required under division (A) (3) or (4) of 1266  
section 3517.10 of the Revised Code. 1267

(E) No person other than a campaign committee shall 1268  
knowingly fail to file a statement required under section 1269  
3517.10 or 3517.107 of the Revised Code. 1270

(F) No person shall make cash contributions to any person 1271  
totaling more than one hundred dollars in each primary, special, 1272  
or general election. 1273

(G) (1) No person shall knowingly conceal or misrepresent 1274  
contributions given or received, expenditures made, or any other 1275  
information required to be reported by a provision in sections 1276  
3517.08 to 3517.13 of the Revised Code. 1277

(2) (a) No person shall make a contribution to a campaign 1278  
committee, political action committee, political contributing 1279  
entity, legislative campaign fund, political party, or person 1280  
making disbursements to pay the direct costs of producing or 1281  
airing electioneering communications in the name of another 1282  
person. 1283

(b) A person does not make a contribution in the name of 1284  
another when either of the following applies: 1285

(i) An individual makes a contribution from a partnership 1286  
or other unincorporated business account, if the contribution is 1287  
reported by listing both the name of the partnership or other 1288  
unincorporated business and the name of the partner or owner 1289  
making the contribution as required under division (I) of 1290  
section 3517.10 of the Revised Code. 1291

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(ii) A person makes a contribution in that person's 1292  
spouse's name or in both of their names. 1293

(H) No person within this state, publishing a newspaper or 1294  
other periodical, shall charge a campaign committee for 1295  
political advertising a rate in excess of the rate such person 1296  
would charge if the campaign committee were a general rate 1297  
advertiser whose advertising was directed to promoting its 1298  
business within the same area as that encompassed by the 1299  
particular office that the candidate of the campaign committee 1300  
is seeking. The rate shall take into account the amount of space 1301  
used, as well as the type of advertising copy submitted by or on 1302  
behalf of the campaign committee. All discount privileges 1303  
otherwise offered by a newspaper or periodical to general rate 1304  
advertisers shall be available upon equal terms to all campaign 1305  
committees. 1306

No person within this state, operating a radio or 1307  
television station or network of stations in this state, shall 1308  
charge a campaign committee for political broadcasts a rate that 1309  
exceeds: 1310

(1) During the forty-five days preceding the date of a 1311  
primary election and during the sixty days preceding the date of 1312  
a general or special election in which the candidate of the 1313  
campaign committee is seeking office, the lowest unit charge of 1314  
the station for the same class and amount of time for the same 1315  
period; 1316

(2) At any other time, the charges made for comparable use 1317  
of that station by its other users. 1318

(I) Subject to divisions (K), (L), (M), and (N) of this 1319  
section, no agency or department of this state or any political 1320

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subdivision shall award any contract, other than one let by 1321  
competitive bidding or a contract incidental to such contract or 1322  
which is by force account, for the purchase of goods costing 1323  
more than five hundred dollars or services costing more than 1324  
five hundred dollars to any individual, partnership, 1325  
association, including, without limitation, a professional 1326  
association organized under Chapter 1785. of the Revised Code, 1327  
estate, or trust if the individual has made or the individual's 1328  
spouse has made, or any partner, shareholder, administrator, 1329  
executor, or trustee or the spouse of any of them has made, as 1330  
an individual, within the two previous calendar years, one or 1331  
more contributions totaling in excess of one thousand dollars to 1332  
the holder of the public office having ultimate responsibility 1333  
for the award of the contract or to the public officer's 1334  
campaign committee. 1335

(J) Subject to divisions (K), (L), (M), and (N) of this 1336  
section, no agency or department of this state or any political 1337  
subdivision shall award any contract, other than one let by 1338  
competitive bidding or a contract incidental to such contract or 1339  
which is by force account, for the purchase of goods costing 1340  
more than five hundred dollars or services costing more than 1341  
five hundred dollars to a corporation or business trust, except 1342  
a professional association organized under Chapter 1785. of the 1343  
Revised Code, if an owner of more than twenty per cent of the 1344  
corporation or business trust or the spouse of that person has 1345  
made, as an individual, within the two previous calendar years, 1346  
taking into consideration only owners for all of that period, 1347  
one or more contributions totaling in excess of one thousand 1348  
dollars to the holder of a public office having ultimate 1349  
responsibility for the award of the contract or to the public 1350  
officer's campaign committee. 1351



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(K) For purposes of divisions (I) and (J) of this section, 1352  
if a public officer who is responsible for the award of a 1353  
contract is appointed by the governor, whether or not the 1354  
appointment is subject to the advice and consent of the senate, 1355  
excluding members of boards, commissions, committees, 1356  
authorities, councils, boards of trustees, task forces, and 1357  
other such entities appointed by the governor, the office of the 1358  
governor is considered to have ultimate responsibility for the 1359  
award of the contract. 1360

(L) For purposes of divisions (I) and (J) of this section, 1361  
if a public officer who is responsible for the award of a 1362  
contract is appointed by the elected chief executive officer of 1363  
a municipal corporation, or appointed by the elected chief 1364  
executive officer of a county operating under an alternative 1365  
form of county government or county charter, excluding members 1366  
of boards, commissions, committees, authorities, councils, 1367  
boards of trustees, task forces, and other such entities 1368  
appointed by the chief executive officer, the office of the 1369  
chief executive officer is considered to have ultimate 1370  
responsibility for the award of the contract. 1371

(M) (1) Divisions (I) and (J) of this section do not apply 1372  
to contracts awarded by the board of commissioners of the 1373  
sinking fund, municipal legislative authorities, boards of 1374  
education, boards of county commissioners, boards of township 1375  
trustees, or other boards, commissions, committees, authorities, 1376  
councils, boards of trustees, task forces, and other such 1377  
entities created by law, by the supreme court or courts of 1378  
appeals, by county courts consisting of more than one judge, 1379  
courts of common pleas consisting of more than one judge, or 1380  
municipal courts consisting of more than one judge, or by a 1381  
division of any court if the division consists of more than one 1382

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judge. This division shall apply to the specified entity only if 1383  
the members of the entity act collectively in the award of a 1384  
contract for goods or services. 1385

(2) Divisions (I) and (J) of this section do not apply to 1386  
actions of the controlling board. 1387

(N)(1) Divisions (I) and (J) of this section apply to 1388  
contributions made to the holder of a public office having 1389  
ultimate responsibility for the award of a contract, or to the 1390  
public officer's campaign committee, during the time the person 1391  
holds the office and during any time such person was a candidate 1392  
for the office. Those divisions do not apply to contributions 1393  
made to, or to the campaign committee of, a candidate for or 1394  
holder of the office other than the holder of the office at the 1395  
time of the award of the contract. 1396

(2) Divisions (I) and (J) of this section do not apply to 1397  
contributions of a partner, shareholder, administrator, 1398  
executor, trustee, or owner of more than twenty per cent of a 1399  
corporation or business trust made before the person held any of 1400  
those positions or after the person ceased to hold any of those 1401  
positions in the partnership, association, estate, trust, 1402  
corporation, or business trust whose eligibility to be awarded a 1403  
contract is being determined, nor to contributions of the 1404  
person's spouse made before the person held any of those 1405  
positions, after the person ceased to hold any of those 1406  
positions, before the two were married, after the granting of a 1407  
decree of divorce, dissolution of marriage, or annulment, or 1408  
after the granting of an order in an action brought solely for 1409  
legal separation. Those divisions do not apply to contributions 1410  
of the spouse of an individual whose eligibility to be awarded a 1411  
contract is being determined made before the two were married, 1412

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after the granting of a decree of divorce, dissolution of 1413  
marriage, or annulment, or after the granting of an order in an 1414  
action brought solely for legal separation. 1415

(O) No beneficiary of a campaign fund or other person 1416  
shall convert for personal use, and no person shall knowingly 1417  
give to a beneficiary of a campaign fund or any other person, 1418  
for the beneficiary's or any other person's personal use, 1419  
anything of value from the beneficiary's campaign fund, 1420  
including, without limitation, payments to a beneficiary for 1421  
services the beneficiary personally performs, except as 1422  
reimbursement for any of the following: 1423

(1) Legitimate and verifiable prior campaign expenses 1424  
incurred by the beneficiary; 1425

(2) Legitimate and verifiable ordinary and necessary prior 1426  
expenses incurred by the beneficiary in connection with duties 1427  
as the holder of a public office, including, without limitation, 1428  
expenses incurred through participation in nonpartisan or 1429  
bipartisan events if the participation of the holder of a public 1430  
office would normally be expected; 1431

(3) Legitimate and verifiable ordinary and necessary prior 1432  
expenses incurred by the beneficiary while doing any of the 1433  
following: 1434

(a) Engaging in activities in support of or opposition to 1435  
a candidate other than the beneficiary, political party, or 1436  
ballot issue; 1437

(b) Raising funds for a political party, political action 1438  
committee, political contributing entity, legislative campaign 1439  
fund, campaign committee, or other candidate; 1440

(c) Participating in the activities of a political party, 1441

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political action committee, political contributing entity, 1442  
legislative campaign fund, or campaign committee; 1443

(d) Attending a political party convention or other 1444  
political meeting. 1445

For purposes of this division, an expense is incurred 1446  
whenever a beneficiary has either made payment or is obligated 1447  
to make payment, as by the use of a credit card or other credit 1448  
procedure or by the use of goods or services received on 1449  
account. 1450

(P) No beneficiary of a campaign fund shall knowingly 1451  
accept, and no person shall knowingly give to the beneficiary of 1452  
a campaign fund, reimbursement for an expense under division (O) 1453  
of this section to the extent that the expense previously was 1454  
reimbursed or paid from another source of funds. If an expense 1455  
is reimbursed under division (O) of this section and is later 1456  
paid or reimbursed, wholly or in part, from another source of 1457  
funds, the beneficiary shall repay the reimbursement received 1458  
under division (O) of this section to the extent of the payment 1459  
made or reimbursement received from the other source. 1460

(Q) No candidate or public official or employee shall 1461  
accept for personal or business use anything of value from a 1462  
political party, political action committee, political 1463  
contributing entity, legislative campaign fund, or campaign 1464  
committee other than the candidate's or public official's or 1465  
employee's own campaign committee, and no person shall knowingly 1466  
give to a candidate or public official or employee anything of 1467  
value from a political party, political action committee, 1468  
political contributing entity, legislative campaign fund, or 1469  
such a campaign committee, except for the following: 1470

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(1) Reimbursement for legitimate and verifiable ordinary 1471  
and necessary prior expenses not otherwise prohibited by law 1472  
incurred by the candidate or public official or employee while 1473  
engaged in any legitimate activity of the political party, 1474  
political action committee, political contributing entity, 1475  
legislative campaign fund, or such campaign committee. Without 1476  
limitation, reimbursable expenses under this division include 1477  
those incurred while doing any of the following: 1478

(a) Engaging in activities in support of or opposition to 1479  
another candidate, political party, or ballot issue; 1480

(b) Raising funds for a political party, legislative 1481  
campaign fund, campaign committee, or another candidate; 1482

(c) Attending a political party convention or other 1483  
political meeting. 1484

(2) Compensation not otherwise prohibited by law for 1485  
actual and valuable personal services rendered under a written 1486  
contract to the political party, political action committee, 1487  
political contributing entity, legislative campaign fund, or 1488  
such campaign committee for any legitimate activity of the 1489  
political party, political action committee, political 1490  
contributing entity, legislative campaign fund, or such campaign 1491  
committee. 1492

Reimbursable expenses under this division do not include, 1493  
and it is a violation of this division for a candidate or public 1494  
official or employee to accept, or for any person to knowingly 1495  
give to a candidate or public official or employee from a 1496  
political party, political action committee, political 1497  
contributing entity, legislative campaign fund, or campaign 1498  
committee other than the candidate's or public official's or 1499

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employee's own campaign committee, anything of value for 1500  
activities primarily related to the candidate's or public 1501  
official's or employee's own campaign for election, except for 1502  
contributions to the candidate's or public official's or 1503  
employee's campaign committee. 1504

For purposes of this division, an expense is incurred 1505  
whenever a candidate or public official or employee has either 1506  
made payment or is obligated to make payment, as by the use of a 1507  
credit card or other credit procedure, or by the use of goods or 1508  
services on account. 1509

(R) (1) Division (O) or (P) of this section does not 1510  
prohibit a campaign committee from making direct advance or post 1511  
payment from contributions to vendors for goods and services for 1512  
which reimbursement is permitted under division (O) of this 1513  
section, except that no campaign committee shall pay its 1514  
candidate or other beneficiary for services personally performed 1515  
by the candidate or other beneficiary. 1516

(2) If any expense that may be reimbursed under division 1517  
(O), (P), or (Q) of this section is part of other expenses that 1518  
may not be paid or reimbursed, the separation of the two types 1519  
of expenses for the purpose of allocating for payment or 1520  
reimbursement those expenses that may be paid or reimbursed may 1521  
be by any reasonable accounting method, considering all of the 1522  
surrounding circumstances. 1523

(3) For purposes of divisions (O), (P), and (Q) of this 1524  
section, mileage allowance at a rate not greater than that 1525  
allowed by the internal revenue service at the time the travel 1526  
occurs may be paid instead of reimbursement for actual travel 1527  
expenses allowable. 1528

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(S) (1) As used in division (S) of this section: 1529

(a) "State elective office" has the same meaning as in 1530  
section 3517.092 of the Revised Code. 1531

(b) "Federal office" means a federal office as defined in 1532  
the Federal Election Campaign Act. 1533

(c) "Federal campaign committee" means a principal 1534  
campaign committee or authorized committee as defined in the 1535  
Federal Election Campaign Act. 1536

(2) No person who is a candidate for state elective office 1537  
and who previously sought nomination or election to a federal 1538  
office shall transfer any funds or assets from that person's 1539  
federal campaign committee for nomination or election to the 1540  
federal office to that person's campaign committee as a 1541  
candidate for state elective office. 1542

(3) No campaign committee of a person who is a candidate 1543  
for state elective office and who previously sought nomination 1544  
or election to a federal office shall accept any funds or assets 1545  
from that person's federal campaign committee for that person's 1546  
nomination or election to the federal office. 1547

(T) (1) Except as otherwise provided in division (B) (6) (c) 1548  
of section 3517.102 of the Revised Code, a state or county 1549  
political party shall not disburse moneys from any account other 1550  
than a state candidate fund to make contributions to any of the 1551  
following: 1552

(a) A state candidate fund; 1553

(b) A legislative campaign fund; 1554

(c) A campaign committee of a candidate for the office of 1555  
governor, lieutenant governor, secretary of state, auditor of 1556

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state, treasurer of state, attorney general, member of the state 1557  
board of education, or member of the general assembly. 1558

(2) No state candidate fund, legislative campaign fund, or 1559  
campaign committee of a candidate for any office described in 1560  
division (T)(1)(c) of this section shall knowingly accept a 1561  
contribution in violation of division (T)(1) of this section. 1562

(U) No person shall fail to file a statement required 1563  
under section 3517.12 of the Revised Code. 1564

(V) No campaign committee shall fail to file a statement 1565  
required under division (K)(3) of section 3517.10 of the Revised 1566  
Code. 1567

(W)(1) No foreign national shall, directly or indirectly 1568  
through any other person or entity, ~~make~~ knowingly do any of the 1569  
following: 1570

(a) Make a contribution, expenditure, or independent 1571  
expenditure or promise, either expressly or implicitly, to make 1572  
a contribution, expenditure, or independent expenditure ~~in~~ 1573  
~~support of or opposition to a candidate for any elective office~~ 1574  
~~in this state, including an office of a political party;~~ 1575

(b) Solicit another person to make a contribution, 1576  
expenditure, or independent expenditure; 1577

(c) Make a loan, gift, deposit, forgiveness of 1578  
indebtedness, donation, advance, payment, or transfer of funds 1579  
to another person with a designation, instruction, or 1580  
encumbrance that the foreign national knows will result in any 1581  
part of the loan, gift, deposit, forgiveness of indebtedness, 1582  
donation, advance, payment, or transfer of funds being used to 1583  
make a contribution, expenditure, or independent expenditure. As 1584  
used in this division, "designation, instruction, or 1585



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encumbrance" includes any designation, instruction, or 1586  
encumbrance that is direct or indirect, express or implied, oral 1587  
or written, or involving an intermediary or conduit. 1588

(2) No candidate, campaign committee, political action 1589  
 committee, political contributing entity, legislative campaign 1590  
 fund, state candidate fund, political party, ~~or~~ separate 1591  
 segregated fund, or continuing association shall do either of 1592  
the following: 1593

(a) Knowingly transfer funds, or accept a transfer of 1594  
funds, directly or indirectly into an account from which the 1595  
person makes contributions or expenditures from an account that 1596  
is controlled by the person or by the person's affiliate and 1597  
that the person, at any time, knew to contain funds described in 1598  
division (W)(1) of this section that are received directly or 1599  
indirectly through another person or entity from a foreign 1600  
national. For purposes of this division, a person is affiliated 1601  
with another person if they are both established, financed, 1602  
maintained, or controlled by, or if they are, the same person, 1603  
including any parent, subsidiary, division, or department of 1604  
that person. 1605

(b) Otherwise knowingly solicit or accept a contribution, 1606  
expenditure, or independent expenditure, directly or indirectly 1607  
through another person or entity, from a foreign national. The 1608  
~~secretary of state may direct any candidate, committee, entity,~~ 1609  
~~fund, or party that accepts a contribution, expenditure, or~~ 1610  
~~independent expenditure in violation of this division to return~~ 1611  
~~the contribution, expenditure, or independent expenditure or, if~~ 1612  
~~it is not possible to return the contribution, expenditure, or~~ 1613  
~~independent expenditure, then to return instead the value of it,~~ 1614  
~~to the contributor.~~ 1615

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(3) No person shall knowingly aid or facilitate a 1616  
violation of division (W) (1) or (2) of this section. 1617

(4) As used in division (W) of this section, "foreign 1618  
national" has the same meaning as in section 441e(b) of the 1619  
Federal Election Campaign Act means any of the following, as 1620  
applicable: 1621

(a) In the case of an individual, an individual who is not 1622  
a United States citizen or national; 1623

(b) A government of a foreign country or of a political 1624  
subdivision of a foreign country; 1625

(c) A foreign political party; 1626

(d) A person, other than an individual, that is organized 1627  
under the laws of, or has its principal place of business in, a 1628  
foreign country. 1629

(X) (1) No state or county political party shall transfer 1630  
any moneys from its restricted fund to any account of the 1631  
political party into which contributions may be made or from 1632  
which contributions or expenditures may be made. 1633

(2) (a) No state or county political party shall deposit a 1634  
contribution or contributions that it receives into its 1635  
restricted fund. 1636

(b) No state or county political party shall make a 1637  
contribution or an expenditure from its restricted fund. 1638

(3) (a) No corporation or labor organization shall make a 1639  
gift or gifts from the corporation's or labor organization's 1640  
money or property aggregating more than ten thousand dollars to 1641  
any one state or county political party for the party's 1642  
restricted fund in a calendar year. 1643

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(b) No state or county political party shall accept a gift 1644  
or gifts for the party's restricted fund aggregating more than 1645  
ten thousand dollars from any one corporation or labor 1646  
organization in a calendar year. 1647

(4) No state or county political party shall transfer any 1648  
moneys in the party's restricted fund to any other state or 1649  
county political party. 1650

(5) No state or county political party shall knowingly 1651  
fail to file a statement required under section 3517.1012 of the 1652  
Revised Code. 1653

(Y) The administrator of workers' compensation and the 1654  
employees of the bureau of workers' compensation shall not 1655  
conduct any business with or award any contract, other than one 1656  
awarded by competitive bidding, for the purchase of goods 1657  
costing more than five hundred dollars or services costing more 1658  
than five hundred dollars to any individual, partnership, 1659  
association, including, without limitation, a professional 1660  
association organized under Chapter 1785. of the Revised Code, 1661  
estate, or trust, if the individual has made, or the 1662  
individual's spouse has made, or any partner, shareholder, 1663  
administrator, executor, or trustee, or the spouses of any of 1664  
those individuals has made, as an individual, within the two 1665  
previous calendar years, one or more contributions totaling in 1666  
excess of one thousand dollars to the campaign committee of the 1667  
governor or lieutenant governor or to the campaign committee of 1668  
any candidate for the office of governor or lieutenant governor. 1669

(Z) The administrator of workers' compensation and the 1670  
employees of the bureau of workers' compensation shall not 1671  
conduct business with or award any contract, other than one 1672  
awarded by competitive bidding, for the purchase of goods 1673

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costing more than five hundred dollars or services costing more 1674  
 than five hundred dollars to a corporation or business trust, 1675  
 except a professional association organized under Chapter 1785. 1676  
 of the Revised Code, if an owner of more than twenty per cent of 1677  
 the corporation or business trust, or the spouse of the owner, 1678  
 has made, as an individual, within the two previous calendar 1679  
 years, taking into consideration only owners for all of such 1680  
 period, one or more contributions totaling in excess of one 1681  
 thousand dollars to the campaign committee of the governor or 1682  
 lieutenant governor or to the campaign committee of any 1683  
 candidate for the office of governor or lieutenant governor. 1684

**Sec. 3517.155.** (A) (1) Except as otherwise provided in 1685  
 division (B) of this section, the Ohio elections commission 1686  
 shall hold its first hearing on a complaint filed with it, other 1687  
 than a complaint that receives an expedited hearing under 1688  
 section 3517.156 of the Revised Code, not later than ninety 1689  
 business days after the complaint is filed unless the commission 1690  
 has good cause to hold the hearing after that time, in which 1691  
 case it shall hold the hearing not later than one hundred eighty 1692  
 business days after the complaint is filed. At the hearing, the 1693  
 commission shall determine whether or not the failure to act or 1694  
 the violation alleged in the complaint has occurred and shall do 1695  
 only one of the following, except as otherwise provided in 1696  
~~division (B) of this section~~ or in division (B) of section 1697  
 3517.151 of the Revised Code: 1698

(a) Enter a finding that good cause has been shown not to 1699  
 impose a fine or not to refer the matter to the appropriate 1700  
 prosecutor; 1701

(b) Impose a fine under section 3517.993 of the Revised 1702  
 Code; 1703

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(c) Refer the matter to the appropriate prosecutor~~+~~, as 1704  
determined under division (A) (2) of this section. 1705

~~(2) As used in division (A) of this section, "appropriate~~ 1706  
~~prosecutor" means a prosecutor as defined in section 2935.01 of~~ 1707  
~~the Revised Code and either of the following:~~ 1708

(a) In the case of a failure to comply with or a violation 1709  
of law involving ~~a campaign committee or the committee's~~ 1710  
~~candidate, a political party, a legislative campaign fund, a~~ 1711  
~~political action committee, or a political contributing entity,~~ 1712  
~~that is required to file a statement of contributions and~~ 1713  
~~expenditures with the secretary of state under division (A) of~~ 1714  
~~section 3517.11 of the Revised Code~~ any of the following 1715  
persons, the prosecutor of Franklin county~~+~~, commission shall 1716  
refer the matter to the attorney general, except that if the 1717  
attorney general is a victim or witness or otherwise involved in 1718  
the matter, the commission shall refer the matter to a county 1719  
prosecutor whom the commission deems appropriate to prosecute 1720  
the matter: 1721

(i) A campaign committee, or the committee's candidate, 1722  
for a statewide office or the state board of education; 1723

(ii) A committee described in section 3517.12 of the 1724  
Revised Code or any other person with respect to contributions, 1725  
expenditures, or independent expenditures made or accepted for 1726  
the purpose of advocating support of or opposition to an 1727  
identified statewide ballot issue or question; 1728

(iii) Any person, other than an individual, whose 1729  
principal place of business is not in Ohio; 1730

(iv) Any individual who is not a resident of Ohio. 1731

(b) In the case of a failure to comply with or a violation 1732

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of law involving any ~~other campaign committee or committee's~~ 1733  
~~candidate, or any other political party, political action~~ 1734  
~~committee, or political contributing entity either of the~~ 1735  
~~following as determined by the commission.~~ 1736

~~(i) The prosecutor of Franklin county;~~ 1737

~~(ii) The other person, the commission shall refer the~~ 1738  
~~matter to the prosecutor of the county in which the candidacy or~~ 1739  
~~ballot question or issue is submitted to the electors or, if it~~ 1740  
~~is submitted in more than one county, the most populous of those~~ 1741  
~~countiesperson, other than an individual, has its principal~~ 1742  
~~place of business or the county in which the individual resides,~~ 1743  
~~as applicable, except that if that prosecutor is a victim or~~ 1744  
~~witness or otherwise involved in the matter, the commission~~ 1745  
~~shall refer the matter to a county prosecutor whom the~~ 1746  
~~commission deems appropriate to prosecute the matter. Upon the~~ 1747  
~~request of the prosecutor to whom the commission refers the~~ 1748  
~~matter, the attorney general may assume responsibility for~~ 1749  
~~prosecuting the matter, unless the attorney general is a victim~~ 1750  
~~or witness or is otherwise involved in the matter.~~ 1751

(3) When the commission refers a matter to the attorney 1752  
general under this section, or when the attorney general assumes 1753  
responsibility for prosecuting a matter under this section, the 1754  
attorney general may prosecute the matter with all the rights, 1755  
privileges, and powers conferred by law on prosecuting 1756  
attorneys, including the power to appear before grand juries and 1757  
to interrogate witnesses before such grand juries. These powers 1758  
of the attorney general are in addition to any other applicable 1759  
powers of the attorney general. 1760

(B) If the commission decides that the evidence is 1761  
insufficient for it to determine whether or not the failure to 1762

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act or the violation alleged in the complaint has occurred, the 1763  
commission, by the affirmative vote of five members, may request 1764  
that an investigatory attorney investigate the complaint. Upon 1765  
that request, an investigatory attorney shall make an 1766  
investigation in order to produce sufficient evidence for the 1767  
commission to decide the matter. If the commission requests an 1768  
investigation under this division, for good cause shown by the 1769  
investigatory attorney, the commission may extend by sixty days 1770  
the deadline for holding its first hearing on the complaint as 1771  
required in division (A) of this section. 1772

(C) The commission shall take one of the actions required 1773  
under division (A) of this section not later than thirty days 1774  
after the close of all the evidence presented. 1775

(D) (1) The commission shall make any finding of a failure 1776  
to comply with or a violation of law in regard to a complaint 1777  
that alleges a violation of division (A) or (B) of section 1778  
3517.21, or division (A) or (B) of section 3517.22 of the 1779  
Revised Code by clear and convincing evidence. The commission 1780  
shall make any finding of a failure to comply with or a 1781  
violation of law in regard to any other complaint by a 1782  
preponderance of the evidence. 1783

(2) If the commission finds a violation of division (B) of 1784  
section 3517.21 or division (B) of section 3517.22 of the 1785  
Revised Code, it shall refer the matter to the appropriate 1786  
prosecutor under division (A) (1) (c) of this section and shall 1787  
not impose a fine under division (A) (1) (b) of this section or 1788  
section 3517.993 of the Revised Code. 1789

(3) If the commission finds a violation of division (W) of 1790  
section 3517.13 of the Revised Code, it shall do one of the 1791  
following: 1792

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(a) Impose a fine under section 3517.993 of the Revised 1793  
Code in an amount equal to three times the amount involved in 1794  
the violation or ten thousand dollars, whichever amount is 1795  
greater, with none of the fine suspended and, in the case of a 1796  
violation of division (W) (2) of section 3517.13 of the Revised 1797  
Code, order the violator to return an amount equal to any amount 1798  
accepted in violation of that division to the foreign national 1799  
from whom it was accepted; 1800

(b) Refer the matter to the appropriate prosecutor under 1801  
division (A) (1) (c) of this section. 1802

(E) In an action before the commission or a panel of the 1803  
commission, if the allegations of the complainant are not 1804  
proved, and the commission takes the action described in 1805  
division (A) (1) (a) of this section or a panel of the commission 1806  
takes the action described in division (C) (1) of section 1807  
3517.156 of the Revised Code, the commission or a panel of the 1808  
commission may find that the complaint is frivolous, and, if the 1809  
commission or panel so finds, the commission shall order the 1810  
complainant to pay reasonable attorney's fees and to pay the 1811  
costs of the commission or panel as determined by a majority of 1812  
the members of the commission. The costs paid to the commission 1813  
or panel under this division shall be deposited into the Ohio 1814  
elections commission fund. 1815

**Sec. 3517.992.** This section establishes penalties only 1816  
with respect to acts or failures to act that occur on and after 1817  
August 24, 1995. 1818

(A) (1) A candidate whose campaign committee violates 1819  
division (A), (B), (C), (D), or (V) of section 3517.13 of the 1820  
Revised Code, or a treasurer of a campaign committee who 1821  
violates any of those divisions, shall be fined not more than 1822



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one hundred dollars for each day of violation. 1823

(2) Whoever violates division (E) or (X) (5) of section 1824  
 3517.13 or division (E) (1) of section 3517.1014 of the Revised 1825  
 Code shall be fined not more than one hundred dollars for each 1826  
 day of violation. 1827

(B) An entity that violates division (G) (1) of section 1828  
 3517.101 of the Revised Code shall be fined not more than one 1829  
 hundred dollars for each day of violation. 1830

(C) Whoever violates division (G) (2) of section 3517.101, 1831  
 division (G) of section 3517.13, or division (E) (2) or (3) of 1832  
 section 3517.1014 of the Revised Code shall be fined not more 1833  
 than ten thousand dollars or, if the offender is a person who 1834  
 was nominated or elected to public office, shall forfeit the 1835  
 nomination or the office to which the offender was elected, or 1836  
 both. 1837

(D) Whoever violates division (F) of section 3517.13 of 1838  
 the Revised Code shall be fined not more than three times the 1839  
 amount contributed. 1840

(E) Whoever violates division (H) of section 3517.13 of 1841  
 the Revised Code shall be fined not more than one hundred 1842  
 dollars. 1843

(F) Whoever violates division (O), (P), or (Q) of section 1844  
 3517.13 of the Revised Code is guilty of a misdemeanor of the 1845  
 first degree. 1846

(G) A state or county committee of a political party that 1847  
 violates division (B) (1) of section 3517.18 of the Revised Code 1848  
 as that section existed before its repeal by H.B. 166 of the 1849  
 133rd general assembly shall be fined not more than twice the 1850  
 amount of the improper expenditure. 1851

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(H) An entity that violates division (H) of section 1852  
3517.101 of the Revised Code shall be fined not more than twice 1853  
the amount of the improper expenditure or use. 1854

(I) (1) Any individual who violates division (B) (1) of 1855  
section 3517.102 of the Revised Code and knows that the 1856  
contribution the individual makes violates that division shall 1857  
be fined an amount equal to three times the amount contributed 1858  
in excess of the amount permitted by that division. 1859

(2) Any political action committee that violates division 1860  
(B) (2) of section 3517.102 of the Revised Code shall be fined an 1861  
amount equal to three times the amount contributed in excess of 1862  
the amount permitted by that division. 1863

(3) Any campaign committee that violates division (B) (3) 1864  
or (5) of section 3517.102 of the Revised Code shall be fined an 1865  
amount equal to three times the amount contributed in excess of 1866  
the amount permitted by that division. 1867

(4) (a) Any legislative campaign fund that violates 1868  
division (B) (6) of section 3517.102 of the Revised Code shall be 1869  
fined an amount equal to three times the amount transferred or 1870  
contributed in excess of the amount permitted by that division, 1871  
as applicable. 1872

(b) Any state political party, county political party, or 1873  
state candidate fund of a state political party or county 1874  
political party that violates division (B) (6) of section 1875  
3517.102 of the Revised Code shall be fined an amount equal to 1876  
three times the amount transferred or contributed in excess of 1877  
the amount permitted by that division, as applicable. 1878

(c) Any political contributing entity that violates 1879  
division (B) (7) of section 3517.102 of the Revised Code shall be 1880

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fined an amount equal to three times the amount contributed in 1881  
 excess of the amount permitted by that division. 1882

(5) Any political party that violates division (B) (4) of 1883  
 section 3517.102 of the Revised Code shall be fined an amount 1884  
 equal to three times the amount contributed in excess of the 1885  
 amount permitted by that division. 1886

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 1887  
 (5) of this section, no violation of division (B) of section 1888  
 3517.102 of the Revised Code occurs, and the secretary of state 1889  
 shall not refer parties to the Ohio elections commission, if the 1890  
 amount transferred or contributed in excess of the amount 1891  
 permitted by that division meets either of the following 1892  
 conditions: 1893

(a) It is completely refunded within five business days 1894  
 after it is accepted. 1895

(b) It is completely refunded on or before the tenth 1896  
 business day after notification to the recipient of the excess 1897  
 transfer or contribution by the board of elections or the 1898  
 secretary of state that a transfer or contribution in excess of 1899  
 the permitted amount has been received. 1900

(J) (1) Any campaign committee that violates division (C) 1901  
 (1), (2), (3), or (6) of section 3517.102 of the Revised Code 1902  
 shall be fined an amount equal to three times the amount 1903  
 accepted in excess of the amount permitted by that division. 1904

(2) (a) Any county political party that violates division 1905  
 (C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 1906  
 shall be fined an amount equal to three times the amount 1907  
 accepted. 1908

(b) Any county political party that violates division (C) 1909

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(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 1910  
 an amount from its state candidate fund equal to three times the 1911  
 amount accepted in excess of the amount permitted by that 1912  
 division. 1913

(c) Any state political party that violates division (C) 1914  
 (4) (b) of section 3517.102 of the Revised Code shall be fined an 1915  
 amount from its state candidate fund equal to three times the 1916  
 amount accepted in excess of the amount permitted by that 1917  
 division. 1918

(3) Any legislative campaign fund that violates division 1919  
 (C) (5) of section 3517.102 of the Revised Code shall be fined an 1920  
 amount equal to three times the amount accepted in excess of the 1921  
 amount permitted by that division. 1922

(4) Any political action committee or political 1923  
 contributing entity that violates division (C) (7) of section 1924  
 3517.102 of the Revised Code shall be fined an amount equal to 1925  
 three times the amount accepted in excess of the amount 1926  
 permitted by that division. 1927

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 1928  
 this section, no violation of division (C) of section 3517.102 1929  
 of the Revised Code occurs, and the secretary of state shall not 1930  
 refer parties to the Ohio elections commission, if the amount 1931  
 transferred or contributed in excess of the amount permitted to 1932  
 be accepted by that division meets either of the following 1933  
 conditions: 1934

(a) It is completely refunded within five business days 1935  
 after its acceptance. 1936

(b) It is completely refunded on or before the tenth 1937  
 business day after notification to the recipient of the excess 1938

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transfer or contribution by the board of elections or the 1939  
secretary of state that a transfer or contribution in excess of 1940  
the permitted amount has been received. 1941

(K) (1) Any legislative campaign fund that violates 1942  
division (F) (1) of section 3517.102 of the Revised Code shall be 1943  
fined twenty-five dollars for each day of violation. 1944

(2) Any legislative campaign fund that violates division 1945  
(F) (2) of section 3517.102 of the Revised Code shall give to the 1946  
treasurer of state for deposit into the state treasury to the 1947  
credit of the Ohio elections commission fund all excess 1948  
contributions not disposed of as required by division (E) of 1949  
section 3517.102 of the Revised Code. 1950

(L) Whoever violates section 3517.105 of the Revised Code 1951  
shall be fined one thousand dollars. 1952

(M) (1) Whoever solicits a contribution in violation of 1953  
section 3517.092 or violates division (B) of section 3517.09 of 1954  
the Revised Code is guilty of a misdemeanor of the first degree. 1955

(2) Whoever knowingly accepts a contribution in violation 1956  
of division (B) or (C) of section 3517.092 of the Revised Code 1957  
shall be fined an amount equal to three times the amount 1958  
accepted in violation of either of those divisions and shall 1959  
return to the contributor any amount so accepted. Whoever 1960  
unknowingly accepts a contribution in violation of division (B) 1961  
or (C) of section 3517.092 of the Revised Code shall return to 1962  
the contributor any amount so accepted. 1963

(N) Whoever violates division (S) of section 3517.13 of 1964  
the Revised Code shall be fined an amount equal to three times 1965  
the amount of funds transferred or three times the value of the 1966  
assets transferred in violation of that division. 1967

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(O) Any campaign committee that accepts a contribution or 1968  
contributions in violation of section 3517.108 of the Revised 1969  
Code, uses a contribution in violation of that section, or fails 1970  
to dispose of excess contributions in violation of that section 1971  
shall be fined an amount equal to three times the amount 1972  
accepted, used, or kept in violation of that section. 1973

(P) Any political party, state candidate fund, legislative 1974  
candidate fund, or campaign committee that violates division (T) 1975  
of section 3517.13 of the Revised Code shall be fined an amount 1976  
equal to three times the amount contributed or accepted in 1977  
violation of that section. 1978

(Q) A treasurer of a committee or another person who 1979  
violates division (U) of section 3517.13 of the Revised Code 1980  
shall be fined not more than two hundred fifty dollars. 1981

(R) Whoever violates division (I) or (J) of section 1982  
3517.13 of the Revised Code shall be fined not more than one 1983  
thousand dollars. Whenever a person is found guilty of violating 1984  
division (I) or (J) of section 3517.13 of the Revised Code, the 1985  
contract awarded in violation of either of those divisions shall 1986  
be rescinded if its terms have not yet been performed. 1987

(S) A candidate whose campaign committee violates or a 1988  
treasurer of a campaign committee who violates section 3517.081 1989  
of the Revised Code, and a candidate whose campaign committee 1990  
violates or a treasurer of a campaign committee or another 1991  
person who violates division (C) of section 3517.10 of the 1992  
Revised Code, shall be fined not more than five hundred dollars. 1993

(T) A candidate whose campaign committee violates or a 1994  
treasurer of a committee who violates division (B) of section 1995  
3517.09 of the Revised Code, or a candidate whose campaign 1996

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committee violates or a treasurer of a campaign committee or 1997  
 another person who violates division (C) of section 3517.09 of 1998  
 the Revised Code shall be fined not more than one thousand 1999  
 dollars. 2000

(U) Whoever violates section 3517.20 of the Revised Code 2001  
 shall be fined not more than five hundred dollars. 2002

(V) Whoever violates section 3517.21 or 3517.22 of the 2003  
 Revised Code shall be imprisoned for not more than six months or 2004  
 fined not more than five thousand dollars, or both. 2005

(W) A campaign committee that is required to file a 2006  
 declaration of no limits under division (D)(2) of section 2007  
 3517.103 of the Revised Code that, before filing that 2008  
 declaration, accepts a contribution or contributions that exceed 2009  
 the limitations prescribed in section 3517.102 of the Revised 2010  
 Code, shall return that contribution or those contributions to 2011  
 the contributor. 2012

(X) Any campaign committee that fails to file the 2013  
 declaration of filing-day finances required by division (F) of 2014  
 section 3517.109 of the Revised Code shall be fined twenty-five 2015  
 dollars for each day of violation. 2016

(Y)(1) Any campaign committee that fails to dispose of 2017  
 excess funds or excess aggregate contributions under division 2018  
 (B) of section 3517.109 of the Revised Code in the manner 2019  
 required by division (C) of that section shall give to the 2020  
 treasurer of state for deposit into the Ohio elections 2021  
 commission fund created under division (I) of section 3517.152 2022  
 of the Revised Code all funds not disposed of pursuant to that 2023  
 division. 2024

(2) Any treasurer of a transition fund that fails to 2025

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dispose of assets remaining in the transition fund as required 2026  
under division (H) (1) or (2) of section 3517.1014 of the Revised 2027  
Code shall give to the treasurer of state for deposit into the 2028  
Ohio elections commission fund all assets not disposed of 2029  
pursuant to that division. 2030

(Z) Any individual, campaign committee, political action 2031  
committee, political contributing entity, legislative campaign 2032  
fund, political party, treasurer of a transition fund, or other 2033  
entity that violates any provision of sections 3517.09 to 2034  
3517.12 of the Revised Code for which no penalty is provided for 2035  
under any other division of this section shall be fined not more 2036  
than one thousand dollars. 2037

(AA) (1) Whoever knowingly violates division (W) (1) of 2038  
section 3517.13 of the Revised Code shall be fined an amount 2039  
equal to three times the amount contributed, expended, or 2040  
promised in violation of that division or ten thousand dollars, 2041  
whichever amount is greater. 2042

(2) Whoever knowingly violates division (W) (2) of section 2043  
3517.13 of the Revised Code shall be fined an amount equal to 2044  
three times the amount solicited or accepted in violation of 2045  
that division or ten thousand dollars, whichever amount is 2046  
greater, and shall be required to return an amount equal to any 2047  
amount accepted in violation of that division to the foreign 2048  
national from whom it was accepted. 2049

(3) Whoever knowingly violates division (W) (3) of section 2050  
3517.13 of the Revised Code shall be fined an amount equal to 2051  
three times the amount involved in the violation or ten thousand 2052  
dollars, whichever amount is greater. 2053

(BB) Whoever knowingly violates division (C) or (D) of 2054



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section 3517.1011 of the Revised Code shall be fined not more 2055  
than ten thousand dollars plus not more than one thousand 2056  
dollars for each day of violation. 2057

(CC)(1) Subject to division (CC)(2) of this section, 2058  
whoever violates division (H) of section 3517.1011 of the 2059  
Revised Code shall be fined an amount up to three times the 2060  
amount disbursed for the direct costs of airing the 2061  
communication made in violation of that division. 2062

(2) Whoever has been ordered by the Ohio elections 2063  
commission or by a court of competent jurisdiction to cease 2064  
making communications in violation of division (H) of section 2065  
3517.1011 of the Revised Code who again violates that division 2066  
shall be fined an amount equal to three times the amount 2067  
disbursed for the direct costs of airing the communication made 2068  
in violation of that division. 2069

(DD)(1) Any corporation or labor organization that 2070  
violates division (X)(3)(a) of section 3517.13 of the Revised 2071  
Code shall be fined an amount equal to three times the amount 2072  
given in excess of the amount permitted by that division. 2073

(2) Any state or county political party that violates 2074  
division (X)(3)(b) of section 3517.13 of the Revised Code shall 2075  
be fined an amount equal to three times the amount accepted in 2076  
excess of the amount permitted by that division. 2077

(EE)(1) Any campaign committee or person who violates 2078  
division (C)(1)(b) or (c) of section 3517.1014 of the Revised 2079  
Code shall be fined an amount equal to three times the amount 2080  
donated in excess of the amount permitted by that division. 2081

(2) Any officeholder or treasurer of a transition fund who 2082  
violates division (C)(3)(a) or (b) of section 3517.1014 of the 2083

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Revised Code shall be fined an amount equal to three times the  
amount accepted in excess of the amount permitted by that  
division.

**Sec. 3517.993.** This section authorizes the establishment  
of fines that may be imposed only with respect to acts or  
failures to act that occur on and after August 24, 1995.

(A) Except as otherwise provided in ~~division~~ divisions (D)  
(2) and (3) of section 3517.155 of the Revised Code, the Ohio  
elections commission may impose administrative fines under  
division (A) (1) (b) of section 3517.155 of the Revised Code in  
accordance with the amounts set forth under sections 3517.992,  
3599.03, and 3599.031 of the Revised Code.

(B) ~~The~~ Except as otherwise provided in division (D) (3) of  
section 3517.155 of the Revised Code, the commission may suspend  
all or part of a fine it imposes under this section upon  
whatever terms and conditions the commission considers just.

(C) (1) The commission shall consider any of the following  
circumstances in determining whether to impose a maximum fine  
under this section:

(a) Whether the violator has been found guilty of any  
other violation of Title XXXV of the Revised Code;

(b) Whether the violation was made knowingly or purposely;

(c) Whether any relevant statements, addenda, or  
affidavits required to be filed have not been filed;

(d) Whether the violator has any outstanding fines imposed  
for a violation of Title XXXV of the Revised Code;

(e) Whether the violation occurred during the course of a  
campaign.

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(2) The commission shall consider any of the following 2112  
circumstances in determining whether to impose a minimal fine or 2113  
no fine under this section: 2114

(a) Whether the violator previously has not been found 2115  
guilty of any other violation of Title XXXV of the Revised Code; 2116

(b) Whether the violator has promptly corrected the 2117  
violator's violation; 2118

(c) Whether the nature and circumstances of the violation 2119  
merit a minimum fine; 2120

(d) Whether there are substantial grounds tending to 2121  
excuse or justify the violation, although failing to establish a 2122  
defense to the violation; 2123

(e) Whether the violation was not purposely committed. 2124

(3) The circumstances set forth in divisions (C) (1) and 2125  
(2) of this section shall be considered by, but shall not 2126  
control the decision of, the commission in imposing a fine. 2127

(D) Fines imposed by the commission under this section 2128  
shall be paid into the Ohio elections commission fund. 2129

**Section 2.** That existing sections 3505.06, 3517.01, 2130  
3517.10, 3517.12, 3517.13, 3517.155, 3517.992, and 3517.993 of 2131  
the Revised Code are hereby repealed. 2132

**Section 3.** (A) Notwithstanding any provision of the 2133  
Revised Code to the contrary, but subject to section 1.14 of the 2134  
Revised Code: 2135

(1) For purposes of the 2024 general election, a major 2136  
political party shall certify to the Secretary of State in 2137  
writing the names of its candidates for president and vice- 2138

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president nominated by its national convention pursuant to 2139  
 section 3505.10 of the Revised Code not later than the effective 2140  
 date of this section. The political party may transmit the 2141  
 certification to the Secretary of State by any reasonably 2142  
 reliable method that, under the circumstances, will provide for 2143  
 the Secretary of State to receive it by the deadline, including 2144  
 by any of the following methods: 2145

(a) Hand delivery; 2146

(b) Certified, express, or ordinary mail delivery by the 2147  
 United States Postal Service; 2148

(c) Commercial carrier service; 2149

(d) Facsimile transmission; 2150

(e) Electronic mail. 2151

(2) The Secretary of State shall certify the forms of the 2152  
 official ballots to be used at the 2024 general election not 2153  
 later than the fourth day after the effective date of this 2154  
 section. 2155

(B) For purposes of this section, "major political party" 2156  
 has the same meaning as in section 3501.01 of the Revised Code. 2157

**Section 4.** Section 3 of this act is intended to apply 2158  
 retroactively to certifications of candidates required to be 2159  
 made under section 3505.10 of the Revised Code and to the 2160  
 certification of the forms of the official ballots under section 2161  
 3505.01 of the Revised Code for purposes of the 2024 general 2162  
 election. Section 3 of this act is remedial in nature because it 2163  
 prevents a major political party's candidates for President and 2164  
 Vice-President from being inadvertently excluded from the ballot 2165  
 at the 2024 general election. 2166

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**Section 5.** This act responds to the Governor's 2167  
proclamation calling a special session of the General Assembly 2168  
beginning on Tuesday, May 28, 2024, for the following purposes: 2169

(A) Enabling a major political party to certify to the 2170  
Ohio Secretary of State the names of the major party candidates 2171  
for President and Vice-President of the United States of America 2172  
nominated by the party's national convention pursuant to section 2173  
3505.10 of the Revised Code; 2174

(B) Meaningfully strengthening the State of Ohio's 2175  
prohibition against foreign influence with and in Ohio's 2176  
elections. 2177

# **Exhibit F**





**MIKE DEWINE**  
GOVERNOR  
STATE OF OHIO

**PROCLAMATION**

**WHEREAS**, Article III, Section 8 of the Ohio Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation; and

**WHEREAS**, Section 3505.10(B)(1) of the Ohio Revised Code requires major political parties to certify the names of their joint candidates for president and vice president to the Secretary of State at least ninety (90) days before the general election; and

**WHEREAS**, a major political party is set to nominate its joint candidates for president and vice president at its national convention on August 19-22, 2024, which is less than ninety (90) days before the 2024 general election; and

**WHEREAS**, failure of a major political party to have its joint candidates for president and vice president on the general election ballot will reduce the number of voters thus impacting down ballot races such as the U.S. Senate race; and

**WHEREAS**, it is in the best interest of the State of Ohio that the joint candidates for president and vice president for both major political parties be on the Ohio ballot in the 2024 general election; and

**WHEREAS**, the opaque nature of certain foreign political contributions is an issue of primary importance in the State of Ohio and needs to be further deliberated and resolved by the General Assembly; and

**WHEREAS**, the Ohio House of Representatives and Ohio Senate have been deliberating these important issues. Examples of this potential legislation include, in whole or in part, Sub. House Bill 114, Am. Sub. House Bill 305, and Sub. Senate Bill 215; and

**WHEREAS**, based on these foregoing and extraordinary occasions, I am compelled to issue this proclamation for the general assembly to consider legislation which accomplishes the purposes of enabling a major political party to certify the names of their joint candidates for president and vice president to the Secretary of State within 70 days of the general election and to strengthen the State of Ohio's existing prohibitions against foreign influence in Ohio's elections prior to the 2024 General Election; and

**NOW, THEREFORE**, I, Mike DeWine, Governor of the State of Ohio, hereby declare that an extraordinary occasion exists and convene the General Assembly into special session, in accordance with Article III, Section 8 of the Ohio Constitution, to begin Tuesday, May 28, 2024 and Wednesday, May 29, 2024, and to be held at the Statehouse in Columbus, for the following purposes:




1. To enable a major political party to certify to the Ohio Secretary of State the names of the major party candidates for president and vice president of the United States of America nominated by the party's national convention pursuant to Section 3505.10 of the Revised Code, which may include consideration of Sub. H.B. No. 114 As Passed by the Senate, Sub. S.B. No. 92 As Reported by the House Government Oversight Committee, or other similar legislation effectuating this purpose, and
2. To meaningfully strengthen the State of Ohio's prohibition against foreign influence with and in Ohio's elections, which may include consideration of Sub. H.B. No. 114 As Passed by the Senate, Am. Sub. H.B. No. 305 As Passed by the Senate, Sub. S.B. No. 215 As Passed by the Senate, or other similar legislation effectuating this purpose.

This proclamation shall take effect immediately and remain in full force and effect unless it is rescinded or modified by me.



In Testimony Whereof, I have hereunto  
Subscribed my name and caused the Great  
Seal of the State of Ohio to be affixed at  
Columbus, this 23rd day of May, in the year  
Two Thousand and Twenty-Four.

  
Mike DeWine  
Governor, State of Ohio



# **Exhibit G**



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# Transcript of Testimony of Ohio Senate General Government Committee

**Date:** February 21, 2024

**Planet Depos**

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TESTIMONY OF THE

8

OHIO SENATE GENERAL GOVERNMENT COMMITTEE

9

FEBRUARY 21, 2024

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1 P R O C E E D I N G S

2 SEN. RULLI: The chair will now bring forth  
3 Senate Bill 215. Senator McColley and Senator Gavarone  
4 for their first hearing. Welcome to committee.

5 SEN. GAVARONE: Thank you, Chair Rulli, Vice-  
6 Chair Reineke and fellow members of the Senate General  
7 Government Committee. Thank you for the chance to  
8 provide sponsor testimony on Senate Bill 215,  
9 legislation which prevents foreign interests from  
10 participating directly or indirectly in ballot issues.

11 Both Ohio and federal law already prohibit  
12 foreign interests from participating in candidate  
13 races. Therefore, this bill simply closes the finance -  
14 - campaign finance loophole for issue campaigns. Nearly  
15 80 percent of voters favor a ban on foreign individuals  
16 and entities funding ballot initiatives, with the  
17 support for the ban being strongest amongst  
18 Republicans, Democrats and Independents.

19 Multiple states have similar laws already in  
20 place or legislation pending to prohibit foreign  
21 contributions in these campaigns. In addition, this  
22 legislation retains current law requiring campaigns

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1 that accept money from foreign interests to pay a fine  
2 equal to three times the amount accepted or \$10,000,  
3 whichever's greater.

4 Strengthens requirements that the campaign  
5 also repay contributions by making this a mandatory  
6 requirement. Current law only requires repayment if the  
7 Secretary of State so orders. Senate Bill 215 also  
8 specifies that the expenditures made during this  
9 signature gathering phase, including expenditures made  
10 to defeat or frustrate signature gathering, are subject  
11 to the requirements of the bill and cannot be funded by  
12 foreign interests.

13 Lastly, Senate Bill 215 ensures that the group  
14 working on the ballot initiative is classified as a  
15 political action committee, a PAC. This ensures these  
16 groups comply with the PAC filing requirements. These  
17 requirements include ongoing campaign finance  
18 disclosures and a new requirement that the PAC  
19 treasurer certify that the group has not accepted  
20 foreign contributions.

21 To be clear, this campaign finance reform  
22 measure will ensure that all of Ohio's elections are

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1 not impacted by foreign influences and it'll better  
2 protect Ohio -- Ohio's elections from foreign interests  
3 hiding behind dark money entities like 501(c)(4)s.

4 For example, in 2023, the Sixteen Thirty Funds  
5 spent over \$13 million across all three Ohio ballot  
6 campaigns. This fund has received over \$220 million  
7 from a Swiss billionaire, Hansjorg Wyss, since 2016.  
8 \$220 million. Senate Bill 215 would ensure that foreign  
9 billionaires cannot influence elections in our state.

10 Thank you again for the opportunity to provide  
11 sponsor testimony on Senate Bill 215. We'd be happy to  
12 answer any questions Committee may have.

13 SEN. MCCOLLEY: We can go straight to  
14 questions, Mr. Chairman.

15 SEN. RULLI: Thank you both for your  
16 testimonies. So, we'll start -- I'll start off the  
17 questions. I always like to ask the genesis of your  
18 thought process for doing this. I think when you look  
19 over the last 20 or 30 years of the American elections  
20 both parties question the results. We could have hours  
21 of debate on that.

22 So where was the genesis that the two senators

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1 came up with this thought?

2 SEN. GAVARONE: To the Chairman, I can tell  
3 you that I recently learned of this Swiss billionaire  
4 throwing all this money into Ohio -- Ohio's ballot  
5 initiatives. And you got to wonder, what interest does  
6 a foreign national have in changing Ohio's  
7 constitution.

8 It's wrong. They -- so for decades now,  
9 foreign nationals have not been able to participate in  
10 candidate races. So, this is just an expansion to close  
11 the loophole so they cannot provide funding in ballot  
12 initiative elections as well.

13 SEN. MCCOLLEY: Mr. Chairman, I would -- I  
14 would say the genesis that I have in this is -- is  
15 similar but as Senator Gavarone pointed out, this has  
16 been on the books for federal law since 1972, I  
17 believe, on the books for Ohio law for candidate  
18 elections since 1999.

19 And actually there's an Elections Commission  
20 opinion issued in 2021 that says that Ohio law already  
21 prohibits expenditures by groups that receive money  
22 from foreign nationals on issues campaigns even though

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1 the same prohibition is already expressly in place for  
2 candidate elections.

3 So, this is something that also seeks to  
4 fortify Ohio law and -- and eliminate any ambiguity  
5 because very clearly that elections commission co-  
6 opinion did not stop entities like the Sixteen Thirty  
7 Fund from pouring tens of millions of dollars into the  
8 state of Ohio over the last 12 months on these issues  
9 campaigns. And, you know, wherever the voters decide to  
10 go on these issues campaigns that is up to them. That's  
11 something that I think we have to -- we have to look at  
12 and we have to respect the will of the voters on those  
13 campaigns.

14 But I think all Ohioans should be able to  
15 universally agree that we want the people who are  
16 participating in these elections to actually be  
17 citizens of the United States. They should not be  
18 people from foreign countries who are trying to put  
19 their invisible hands some way into these elections and  
20 influencing them unduly against -- against the laws of  
21 the state of Ohio or other states or even federal law.

22 SEN. RULLI: I appreciate that. And I have a



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1 follow up. I know that when we look at different middle  
2 eastern monies that have been infiltrating American  
3 universities and colleges we could trace it back to  
4 about seven to eight years ago when that influx began.  
5 Is there a moment in history that we could trace  
6 foreign influence? Surprisingly, Switzerland or  
7 Finland, you said.

8 SEN. GAVARONE: Swiss -- a Swiss billionaire.

9 SEN. RULLI: Switzerland. That's a surprising  
10 country that how it had an influence on Ohio politics.  
11 But is there something that happened on the time table  
12 that this began? Is it within the last 5, 10, or 20  
13 years?

14 MS. MCCOLLEY: To the Chairman, we're going to  
15 have a number of witnesses who are going to come up  
16 here after us who are, what I would say, would qualify  
17 as national experts on these issues. They've been  
18 studying it, they've been gathering information from  
19 tax returns from these organizations for some years.

20 They're going to be able to tell you with a  
21 reasonable degree of certainty when these types of  
22 contributions started with these organizations and

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1 when, quiet frankly, the volume and breath of these  
2 types of involvements at the dollar amounts we're  
3 talking about began. It's something that, of course,  
4 we've all known and in many cases been frustrated by  
5 the rise of money in politics. But certainly the rise  
6 of foreign money in politics and the rise of foreign  
7 money trying to impact our elections is a troubling  
8 concern.

9 SEN. RULLI: I really appreciate those  
10 answers. And I am going to turn my attention now to our  
11 Honorable Senator DeMora for a question.

12 SEN. DEMORA: Thank you Mr. Chairman.

13 Obviously you both know where I stand on this.  
14 But so your presumptive presidential nominee -- nominee  
15 gets all kind of money from Saudi Arabia and Russia and  
16 these third-party groups that then spend money on his  
17 behalf. So, but that's okay, but it's not okay for  
18 somebody to actually give money to liberal leading  
19 causes.

20 So, again, all the groups that they're going  
21 to come up here after -- after you guys talk are all  
22 conservative think tanks that all get funded by dark

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1 money, their donors are not known. So, how is -- I  
2 mean, so how can you say that just because one person  
3 gave some money to one group who actually was on the --  
4 we'll say the correct side of an issue last year, now  
5 all of a sudden because that issue actually prevailed,  
6 now we have to get rid of dark money. It -- had your  
7 side prevailed in that election last year, this bill  
8 wouldn't have come to fruition, would it have?

9 SEN. GAVARONE: The Chair to the Senator.  
10 Actually, that's not true. I don't believe foreign  
11 nationals should be participating at all in Ohio's  
12 elections. And we need to really question why -- why  
13 these foreign billionaires want to change our laws here  
14 in Ohio.

15 So, I think it's -- it crosses both parties  
16 across the political spectrum and if you look at  
17 polling, Democrats and Republicans strongly agree that  
18 we should not be allowing foreign nationals to  
19 participate in our elections.

20 SEN. MCCOLLEY: Mr. Chairman, if I could  
21 respond to that as well.

22 I -- I would say I'm not an expert on the

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1 federal law surrounding this. There's not a whole lot  
2 we could do on a -- on a presidential election from a  
3 campaign finance standpoint as a state legislature,  
4 that would be something that would be subject to  
5 federal law. However, as we did point out, it is  
6 illegal under federal law for foreign nationals to  
7 spend money in federal elections.

8 And so, without knowing the data that you're  
9 relying upon, I can't really respond in detail to that.  
10 But I would also agree with my co-sponsor here. You  
11 know, there -- there's a strong probability that  
12 without this foreign money that both of those ballot  
13 initiatives would have still gone the way that they  
14 did.

15 Maybe not by as much as they did because of,  
16 you know, we're talking about \$13 million here over the  
17 course of two campaigns, but there's a strong  
18 probability that they would have gone the way that they  
19 did as far as the end result is concerned.

20 But I think, as I stated before, we should all  
21 be looking at this as a matter of trust and integrity  
22 that our voters have in our election process know that

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1 this isn't something that is being unduly influenced by  
2 people from either side of the aisle or either side of  
3 the issue who aren't even citizens of this country.

4 SEN. RULLI: And do we have any further  
5 questions?

6 Just out of curiosity, is the amount of money  
7 that they're infilt- -- that they're inserting into the  
8 Ohio election, like with the Swiss -- Swiss, is that  
9 known how much or no?

10 [talking in background, inaudible]

11 SEN. MCCOLLEY: Give me a second, Mr.  
12 Chairman. So, here -- here's some information we were  
13 able to pull through just reviewing the Ohio Secretary  
14 of State's website. And in particular we -- we talk  
15 about the Sixteen Thirty Fund primarily because it is  
16 the, I guess, most known -- the most known violator, if  
17 you will, of -- of this type of practice.

18 And it's not us just saying it. It's the  
19 Associated Press reported this and has reporter [sic]  
20 it -- reported it on numerous occasions that this  
21 Sixteen Thirty Fund is primarily funded or at least the  
22 -- the largest donor -- known donor is a Swiss

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1     billionaire named Hansjorg Wyss.

2             But the Sixteen Thirty Fund has received as --  
3     as Senator Gavarone mentioned, over \$220 million.  
4     Actually I believe the number might be closer to \$240  
5     million since 2016 from the Swiss billionaire Hansjorg  
6     Wyss. Moreover, Sixteen Thirty Fund spent in the 2022  
7     mid-term elections approximately \$196 million across  
8     the country. In addition to that, it spent \$13,226,600  
9     across all three Ohio 2023 campaigns.

10            This is something that is easily verifiable.  
11     It's not us making any of this stuff up. One can do  
12     their own research but this is an alarming trend over  
13     the course of two elections to see that kind of money  
14     thrown in by an organization with known and very strong  
15     foreign ties into Ohio's issue elections, especially  
16     when, as I mentioned before, the Elections Commission  
17     believes that Ohio law already prohibits this.

18            SEN. RULLI: I'm going to move his follow up  
19     after my follow up. Are there any states in the -- in  
20     the union that have actually already moved before us  
21     and have already done this type of legislation within  
22     their State House?

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1           SEN. GAVARONE: We have witnesses here that  
2           are going to be testifying later, I believe -- I know  
3           there are several states who have proposed similar  
4           legislation and their -- it will be follow-up testimony  
5           that can verify the status.

6           SEN. RULLI: That's great. Okay. Then we're  
7           going to move -- go ahead.

8           SEN. MCCOLLEY: Mr. Chairman, it's also worth  
9           noting that there was legislation introduced at the  
10          congressional level that I believe just passed  
11          unanimously on a bipartisan basis out of the committee  
12          in the United States House of Representatives to band  
13          this type of spending. So, again, this is a bipartisan  
14          issue that everybody should stand firmly against.

15          SEN. RULLI: Appreciate that. The Chair  
16          recognizes Senator DeMora.

17          SEN. DEMORA: Thank you, Mr. Chairman.

18          So, Senator McColley, you're an attorney. I'm  
19          going to ask you this question. So, we all know that if  
20          someone wants to get around this, I mean, I can set up  
21          a -- I can set up a committee in another state, have  
22          Sixteen Thirty donate money to that committee.

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1           Then that committee can -- I can set up  
2 another committee in this state and have that committee  
3 donate money to me, to this other committee in Ohio  
4 when I'm not taking any foreign money because it's  
5 coming through three different -- three different  
6 things. I mean there's -- I mean that's how it's done.  
7 I mean, let's be honest. I mean, everybody does it and  
8 everybody is going to continue to do this.

9           So, this is kind of a -- I mean, I -- yes, I -  
10 - I agree that foreign nationals shouldn't be pumping  
11 money into elections in Ohio or anywhere else. But we  
12 all know and -- and because this has actually been  
13 perfected, not by my side because I -- I'm -- I mean on  
14 my side behind the time and all this stuff, let's --  
15 let's -- I've freely admit that, but by members on your  
16 side of the aisle are the ones perfected how to move  
17 this -- since the Vallejo [ph] decision -- not Vallejo,  
18 the -- the -- whatever decision that corporations be  
19 money and let all these things occur in the United  
20 States politics.

21           Your side has been able to do this by setting  
22 up all these things that are -- that are not affiliated



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1 but kind of affiliated and again there's always going  
2 to be ways around this.

3 And, so, I'm just wondering if this is not a -  
4 - if you said the other -- our Elections Commission  
5 already says its banned, is this -- it's not a -- and -  
6 - and by the way, the bills are coming from the same  
7 source where most of these bills come from, it's an  
8 national group that gives bills to all 50 states and  
9 they're kind of cherry picked by which legislatures  
10 want to do them and which legislators don't,  
11 Republican-led legislatures do the cherry picked ones  
12 that they want.

13 You know, a- -- again, we're behind the times  
14 as -- as progressives and Democrats, that we don't have  
15 a national group that does these legislations for us. I  
16 mean, I give you credit for that as well.

17 So, aren't we just kind of playing to the bass  
18 here again that this is something that, you know, is  
19 not -- is this something, again, to kind of gin up the  
20 bass. We all hate foreign money but again, if you ask  
21 the average voter what their top 10 issues are, I  
22 guarantee you money from foreign nationals effecting

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1 the elections aren't going to come in the top 30.

2 SEN. RULLI: Proceed.

3 SEN. MCCOLLEY: Thank you, Mr. Chairman.

4 I -- I would say regardless -- again,  
5 regardless this -- this -- this is our original bill.  
6 Okay. This isn't something that somebody gave us and  
7 said verbatim put this into a bill. Okay. And again,  
8 this isn't something that is politically motivated one  
9 side or the other. It's something that we should be  
10 looking at frankly as Ohioans and Americans not wanting  
11 this type of practice to continue.

12 You know, but by your remarks it sounds like  
13 you might have experience in setting these types of  
14 things up, Senator DeMora. But --

15 SEN. DEMORA: I work weekends.

16 SEN. MCCOLLEY: -- but I -- I would say, you  
17 know, regardless of what side any of this comes from,  
18 we should all be opposed to it whether it's coming from  
19 the right, coming from the left, Republicans or  
20 Democrats, we should all be opposed to it because,  
21 again, foreign nationals should not be influencing  
22 issues campaigns or candidate elections in the state of

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1 Ohio.

2 Now, interestingly enough, you mentioned that  
3 -- I will mention this, the people who view this stuff  
4 and the people who monitor this stuff and the people  
5 who are experts at this stuff, will tell you that the  
6 web of dark money designed to conceal the -- the -- the  
7 -- the --the source of -- of funding -- but look the --  
8 I wouldn't say that we're the experts on it on the  
9 right. I would say the people on the -- on the left are  
10 the ones who have perfected this art. And I'll let that  
11 information speak for itself.

12 But regardless, again, if they were a  
13 Republican group doing this and spending money from  
14 foreign nationals in Ohio candidates' races or issues  
15 elections, I think we should all stand united against  
16 that and I think that's what the voters would want us  
17 to do.

18 SEN. RULLI: I'm just going to make a comment.  
19 As the Chair, I would more than willingly offer my  
20 office to invite all the senators here because I feel  
21 that there's a little bit of curiosity to my left that  
22 maybe we could get you as a yes vote on this.

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1           So, if you need to have a meeting about that  
2     to maybe talk about maybe a little baby amendment or  
3     something to get Senator DeMora, we -- we will talk  
4     about that.

5           SEN. DEMORA: Mr. Chairman, the audi- -- the  
6     audience already hates me for the next bill that I'm  
7     supporting being bipartisan on it. I don't want to be  
8     hated on both bills here at one time.

9           SEN. RULLI: I understand. I understand.

10          SEN. MCCOLLEY: See, Mr. Chairman, you know,  
11     Senator DeMora, you're -- you're not -- you're not --  
12     you're immune to -- to stepping outside of a political  
13     aim to do the right thing. So, we'll -- we'll work with  
14     you on this. But I would say that we're open to  
15     amendments on this.

16          Ultimately, to your point, Senator DeMora, it  
17     does need to be something that works and the penalties  
18     need to be a big enough deterrent that the  
19     sophisticated actors in this arena understand that it  
20     is going to be a hefty price to pay in the event that  
21     they go awry or -- or go aside of this law.

22          We are working on some concepts now that we're

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1 not necessarily ready to reveal that would make it much  
2 clearer how this needs to be complied with, much  
3 clearer how somebody would go awry of the statute. But  
4 nevertheless, it needs to work because, you're right,  
5 there are sophisticated actors all over the place in  
6 this -- in this realm that are going to be designed and  
7 -- and intent on going around whatever we put in place.

8 SEN. RULLI: Thank you both for your  
9 testimony.

10 SEN. MCCOLLEY: Thank you.

11 SEN. RULLI: We're going to proceed with the  
12 first hearing but we're going to move into second phase  
13 of the first hearing. We're going to now move into  
14 proponent testimony. So, the Committee would like to  
15 welcome to the podium Jason Snead for proponent  
16 testimony.

17 Welcome to Committee.

18 MR. SNEAD: Thank you Mr. Chairman and members  
19 of the Committee. I appreciate the opportunity to be  
20 here and to return to my home state of Ohio to testify  
21 today on Senate Bill 215 to prohibit both direct and  
22 indirect foreign contributions to ballot measure

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1 campaigns in the state.

2 My name is Jason Snead, I am the executive  
3 director of the Honest Elections Project, a non-profit  
4 devoted to the principle that every American has the  
5 right to vote in free, fair and secure elections.

6 Americans do not want foreign nationals  
7 influencing their elections and each of us has the  
8 right to know that the foundation of our democracy is  
9 protected against foreign interference. But while the  
10 media has spent considerable time focusing on threats  
11 abroad from Russia and China, comparatively little  
12 attention has been paid to the torrent of foreign money  
13 flowing into American politics from foreign nationals  
14 like billionaire activist Hansjorg Wyss.

15 Mr. Wyss is one of the largest political  
16 donors in the United States but he is not an American  
17 citizen. Last week, Politico reported that, quote,  
18 "Wyss doled out more than \$63 million in grants to left  
19 leaning groups in fiscal 2022," end quote.

20 As you will soon hear in greater detail from  
21 Caitlin Sutherland of Americans for Public Trust, Mr.  
22 Wyss has pumped nearly half a billion dollars of

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1 foreign money into political causes throughout this  
2 country. 243 million of that sum has landed in the  
3 coffers of a political spending powerhouse, the Sixteen  
4 Thirty Fund.

5 Ohioans are acutely aware of Sixteen Thirty  
6 Funds' impact even if they do not know it. Last year  
7 alone Sixteen Thirty spent more than \$14 million on  
8 ballot measure campaigns in this state. Sixteen Thirty  
9 Fund is already one of the largest donors to a fourth  
10 coming ballot measure to fundamentally change the  
11 redistricting process.

12 And as we speak, Mr. Wyss' personal attorney,  
13 Mark Alias [ph] is suing in the Ohio Supreme Court to  
14 advance a second ballot measure intended to rewrite  
15 this state's election laws and even to reopen the door  
16 to non-citizen voting.

17 These proposed ballot measures aim to affect  
18 the make-up of elected legislatures and rewrite the  
19 rules that govern elections in Ohio.

20 These are foundational issues to our republic,  
21 yet there is no law in place to ensure that foreign  
22 nationals are not influencing these highly

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1 consequential campaigns. So long as that is true,  
2 Ohioans can expect foreign funding to continue  
3 influencing elections in this state.

4 Indeed, Sixteen Thirty has an established  
5 history of spending massive sums to advance measures  
6 precisely like those facing Ohio this year.

7 In 2022 Sixteen Thirty spent over \$10 million  
8 to advance Michigan Proposal 2, a measure strikingly  
9 similar to the so-called Ohio voters' bill of rights  
10 currently in litigation and they spent \$6 million on a  
11 2018 Michigan measure to reshape the redistricting  
12 process. Again, in a manner very similar to the  
13 redistricting measure facing this state. And that is  
14 just the spending in one state.

15 This is why this issue is so much more than a  
16 fight over last year's election or the outcome of any  
17 single ballot measure issue. Changing Ohio's  
18 constitution has become a top goal of national special  
19 interests and it is concerning that one of the largest  
20 drivers of this effort is also a top recipient of  
21 foreign money.

22 Federal and state laws have prohibited foreign



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1      nationals from donating to candidate races for federal,  
2      state and local office for decades. It is long past  
3      time to bring similar safeguards against foreign  
4      influence to ballot measure contests here in Ohio.  
5      Numerous other states have taken similar steps  
6      including Colorado, Maryland, Nevada, Washington, and  
7      more. Last year, more than 86 percent of voters in  
8      Maine adopted an initiative to prohibit foreign  
9      spending on ballot measures.

10              Here in Ohio a poll conducted by our sister  
11      organization HEP Action found that 85 percent of  
12      registered voters think foreign nationals should not be  
13      allowed to influence elections. 68 percent would back a  
14      law to block indirect influence of elections in Ohio.

15              And let us not forget that in 2022 some 77  
16      percent of Ohioans voted to ban non-citizen voting in  
17      this state. Clearly, there is a broad public consensus  
18      that non-citizens should not be influencing elections.

19              SB 215 would make get strides towards  
20      safeguarding the integrity of Ohio's elections against  
21      foreign influence without in any way inhibiting the  
22      ability of American citizens to donate to the

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1 candidates and causes they support.

2 Nor does this bill infringe on important  
3 protections for the privacy of American donors who  
4 chose to contribute to causes that they support.

5 Drawing this distinction between citizens and non-  
6 citizens is imminently reasonable. After all, we do not  
7 allow non-citizens to vote and we have long banned non-  
8 citizens from donating to political candidates.

9 Ballot measure process deserves the same  
10 protections. This should not be a partisan issue. Every  
11 Ohio voter should know that each election is free of  
12 foreign interference and I applaud the members of this  
13 Senate for considering legislation and leading the way  
14 towards that important conclusion.

15 I thank you for the opportunity and will  
16 happily take any questions.

17 SEN. RULLI: We really appreciate your  
18 testimony today.

19 Are there any questions from the Committee?

20 SEN. MCCOLLEY: Mr. Chairman.

21 SEN. RULLI: Senator McColley.

22 SEN. MCCOLLEY: Thank you, Mr. Chairman. Thank

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1       you, Mr. Snead.

2               As you look across the country, are you seeing  
3       a -- you kind of alluded to it in -- in your testimony  
4       but you -- you mentioned Ohio and a few other states.  
5       Are you seeing a number of other states that do have  
6       open ballot initiatives for -- for constitutional  
7       amendments or statutory initiatives where this type of  
8       massive influx of seemingly endless money is -- is  
9       coming in overnight to -- to fund these campaigns?

10              MR. SNEAD: Yes. Mr. Chairman, to the Senator,  
11       absolutely.

12              Sixteen Thirty Fund is one of the largest  
13       donors to ballot measures in the United States and  
14       indeed almost any state that has a ballot measure has  
15       seen Sixteen Thirty contribute to it. The sums are not  
16       inconsiderable by any stretch. You heard me give the  
17       facts in Michigan. \$10 million went to Proposal 2 in  
18       2022, one cycle ago. In 2018 \$6 million went into their  
19       redistricting measure and that was only one of several  
20       states.

21              In fact, I believe there were four states in  
22       total that Sixteen Thirty contributed to just on the

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1     redistricting issue. Sixteen Thirty has shown that they  
2     are willing and able to spend tens of millions of  
3     dollars to advance ballot measures in states across the  
4     country.

5             And as I said, they are one of the largest  
6     single donors. And you got -- you all are facing a  
7     redistricting measure potentially this year. They're  
8     already one of the largest donors to that measure as  
9     well.

10            SEN. RULLI: Thank you.

11            Senator DeMora.

12            SEN. DEMORA: Thank you, Mr. Chairman.

13            Mr. Snead, who funds your group?

14            MR. SNEAD: My group is funded by a number of  
15     Americans who believe in honest elections and as many  
16     organizations we protect their privacy. That's a policy  
17     which many groups on both the left and the right  
18     endorse.

19            SEN. DEMORA: Mr. Chairman.

20            SEN. RULLI: Follow up.

21            SEN. DEMORA: So, you're not willing to give  
22     us your list of -- of donors, huh?

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1           MR. SNEAD: Well, Mr. Chairman, Senator  
2 DeMora, as I said, we respect the privacy of our  
3 donors. I can tell you that every single one of them is  
4 an American citizen, which is more than I think can be  
5 said for Sixteen Thirty Fund and Hansjorg Wyss. I  
6 believe that every one should have the opportunity to  
7 know that foreign citizens are not in any way  
8 influencing the election process and that's really what  
9 I'm here to talk about today.

10           SEN. DEMORA: One more.

11           SEN. RULLI: Proceed.

12           SEN. DEMORA: So -- thank you Mr. Chairman.  
13 So your group doesn't believe in mail-in voting but you  
14 want to have a free, fair and secure election. Is that  
15 -- is that -- is that the case?

16           MR. SNEAD: Mr. Chairman, Senator, no, that is  
17 not the case. In fact, my position, which you can find  
18 on a 14 point report on the Honest Elections' website,  
19 details that it is important to secure mail ballots  
20 with things like voter identification, a law which was  
21 just passed and upheld in a court here in Ohio. It's  
22 important that we protect those ballots. They are

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1 vulnerable to fraud, to mistakes, vote harvesting and  
2 trafficking operations and so forth. But I have never  
3 in any way, shape or form condemned mail voting.

4 SEN. DEMORA: [inaudible].

5 SEN. RULLI: No more questions. Thank you so  
6 much for your testimony.

7 MR. SNEAD: Thank you, Mr. Chairman.

8 SEN. RULLI: The Committee will now call  
9 Catherine Gunsalus to the podium for testimony.

10 Welcome to Committee, Catherine.

11 MS. GUNSALUS: Mr. Chairman, members of the  
12 Committee, thank you. Thank you for the opportunity to  
13 testify in support of Senate Bill 215.

14 My name is Catherine Gunsalus, I am the  
15 director of state advocacy for the Her- -- for Heritage  
16 Action for America. We are a national grassroots  
17 organization with two million conservative activists  
18 across the country including thousands of Ohioans.  
19 We're also the political or lobbying branch of the  
20 Heritage Foundation.

21 Heritage Action supports Senate Bill 215. We  
22 thank Senator Gavarone and Senator McColley for

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1 introducing this legislation, ensuring Ohio's elections  
2 are free from the corrupting influence of foreign  
3 funding. Free and fair elections are the bedrock of our  
4 republic and every Ohioan should have the confidence  
5 and security and the integrity of our election system.

6 In George Washington's 1796 farewell address  
7 he cautioned that, quote, foreign influence is one of  
8 the most painful foes of Republican government, end  
9 quote. With growing geopolitical threats like the  
10 influence of the Chinese communist party, Ohio is wise  
11 to ensure the integrity of its elections and guard  
12 against the influence of foreign actors that could seek  
13 to under mind Ohio's elec- - -- interests.

14 There's several meet -- reasons that have  
15 already been mentioned of why Senate Bill 215 is  
16 important. I'll review just three of those and -- and  
17 for -- for the Committee.

18 Number one, prohibiting foreign nationals from  
19 contributing to ballot issue campaigns ensures Ohioans'  
20 voices are not diluted and the decisions about Ohio's  
21 constitution and laws are based on the voices of its  
22 citizens, not foreign billionaires.

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1           Heritage Action lobbies alongside of and on  
2   behalf of grassroots across the country including here  
3   in Ohio and protecting Ohio's elections from outside  
4   influence is top of mind, for -- for the grassroots.  
5   And they're keenly aware of the fact that the integrity  
6   of our government and protecting liberty hinge upon the  
7   ability to conduct transparent, accurate and fair  
8   elections. Grassroots are -- are tr- -- determined to  
9   ensure that their voice is heard and they can have the  
10   confidence in the electoral process.

11           Second, as already mentioned as well by the  
12   Senator, for years state of Ohio has banned foreign  
13   national contributions to political candidates running  
14   for office. Senate Bill 215 ensures consistency and  
15   fairness in Ohio's electoral process by also banning  
16   foreign national contributions for ballot issues. As  
17   also mentioned, US federal government rightly limits  
18   the participation of foreign individuals, entities,  
19   governments in national political campaigns.

20           Thirdly and lastly, I'll note that the foreign  
21   meddling in the US political landscape's not a  
22   hypothetical problem. States are -- are -- like Ohio



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1 are right to address it. Also I would note that O- --  
2 Ohio's not alone in its endeavor to push back. It was  
3 mentioned -- previously the question was raised are  
4 there other states that have already taken action.  
5 There are about eight states that have already banned  
6 foreign influence in ballot issues. Those states  
7 include California, Colorado, Maine, Maryland, North  
8 Dakota, South Dakota, Washington and Nevada.

9 This year alone other states like Oklahoma and  
10 Arizona have presented similar legislation as well to  
11 take initiative to protect their state elections from  
12 foreign funding, have introduced that legislation in  
13 their legislature.

14 In closing, Ohio has already made great  
15 strides into strengthening and securing your elections.  
16 And you have the opportunity here to continue leading  
17 by passing Senate Bill 215. We urge your support and  
18 thank you so much, Mr. Chairman.

19 SEN. RULLI: We really appreciate your time  
20 for your testimony today.

21 Does the Committee have questions?

22 Senator DeMora.

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1 SEN. DEMORA: Thank you, Mr. Chairman.

2 I'll ask you the same question I asked the  
3 previous witness. Who funds your group?

4 MS. GUNSALUS: Well, Mr. Chairman --

5 SEN. RULLI: Proceed.

6 MS. GUNSALUS: -- to -- to the Senator, I -- I  
7 -- I don't know quite the answer to your -- your  
8 question. I -- so --

9 SEN. DEMORA: Well -- and you sh- -- and your  
10 first thing's prohibiting foreign nationals from  
11 contributing so that campaign ensures Ohio's voice is  
12 not diluted. I can tell you your top two funders are  
13 the Koch brothers and Philip Morris. Now, last time I  
14 checked the Koch brothers and Philip Morris aren't  
15 headquartered in Ohio, are they?

16 MS. GUNSALUS: Mr. --

17 SEN. RULLI: Proceed.

18 MS. GUNSALUS: -- Mr. Chairman to the Senator.

19 I think the reason for -- for -- why I'm here  
20 today is simply to ensure that foreign funding are not  
21 -- is not influencing Ohio's ballot measures  
22 specifically. So, I'd be happy to follow up with you on

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1 your specific question related to -- to Heritage  
2 donors.

3 SEN. DEMORA: Oh, I'd love that. Thank you.

4 Mr. -- thank you Mr. Chairman.

5 SEN. RULLI: Chair recognizes Senator Rob  
6 McColley.

7 SEN. MCCOLLEY: Thank you, Mr. Chairman.

8 And this -- this is a question that could have  
9 easily been asked of Mr. Snead as well in response to  
10 the line of questioning from Mr. DeMora.

11 What we're talking about here are expenditures  
12 in elections, not expenditures that are being made in a  
13 process of issue advocacy like what you guys are doing  
14 here today. There are no shortage of 501(c)(3)s and  
15 501(c)(4)s that are involved daily at the State House  
16 on all sides of the issue who are non-profit  
17 organizations who are set up here for philanthropic  
18 causes in many cases that there's never been any  
19 question as to who their donors are or why we should  
20 know them.

21 What we're talking about here is  
22 electioneering during the times of elections. And so, I

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1 guess any response to that would be appreciated. Thank  
2 you.

3 MS. GUNSALUS: Mr. Chairman to the Senator.  
4 Thank you.

5 Yes, absolutely, and -- and I think this is  
6 some -- this is an issue that Ohioans feel very  
7 passionate about, a grassroots here feel very  
8 passionate about ensuring that that foreign influence  
9 in electioneering to your point, Senator, is not  
10 occurring and so I would just note that, reaffirm that.

11 SEN. RULLI: Appreciate your testimony and I  
12 think for the record the Koch brothers and Philip  
13 Morris are United States companies. Thank you so much.

14 MS. GUNSALUS: Thank you.

15 SEN. RULLI: The Committee will now call  
16 Caitlin Sutherland to the podium for testimony.

17 Welcome to Committee, Caitlin.

18 MS. SUTHERLAND: Chairman Rulli, Ranking  
19 Member DeMora and members of the Committee. Thank you  
20 for the invitation and opportunity to testify in  
21 support of Senate Bill 215 which prohibits foreign  
22 nationals from contributing to state ballot issues.

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1           My name is Caitlin Sutherland and I am the  
2 executive director of Americans for Public Trust, a  
3 non-profit, non-partisan organization dedicated to  
4 restoring trust in government by holding politicians  
5 and political groups accountable.

6           Since our founding in 2020, APT has devoted  
7 extensive resources to uncovering, mapping and  
8 publicizing outside money influence in politics and  
9 policy. Americans should have every confidence that  
10 their elections are free from foreign interference and  
11 influence. But unfortunately, as you've heard, a  
12 significant source of foreign cash is flowing into  
13 politics from a Swiss billionaire named Hansjorg Wyss.

14           Multiple press outlets including the  
15 Associated Press, Bloomberg and Real Clear Politics  
16 have confirmed Mr. Wyss is a foreign national. But  
17 don't just take their word for it. Listen to what Mr.  
18 Wyss has said about the matter. In 2011 Mr. Wyss told a  
19 Swiss newspaper that he, quote, never felt the need to  
20 become an American.

21           He claimed he found the process, quote, too  
22 complicated and instead preferred to call himself,

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1 quote, a spiritual dual citizen. Despite Mr. Wyss'  
2 disinterest in becoming an American citizen, he made it  
3 a personal goal to influence American politics.  
4 According to a biography written by his own sister, Mr.  
5 Wyss' personal goal is to, quote, reinterpret the  
6 American constitution in light of progressive politics.

7 So, how is Mr. Wyss, who is not a US citizen  
8 and therefore prohibited from directly or indirectly  
9 influencing our elections doing just that? Well, first  
10 in the '90s and early [inaudible], he seemingly illegal  
11 gave more than \$100,000 directly to candidates and  
12 political committees. But Mr. Wyss's direct giving  
13 pales to comparison to his current and preferred method  
14 of influencing our politics, his non-profit.

15 Mr. Wyss uses his two non-profits, the Wyss  
16 Foundation, a 501(c)(3) and the Berger Action Fund  
17 formerly called the Wyss Action Fund, a 501(c)(4), to  
18 fund liberal groups across the nation. He has used  
19 these two non-profit vehicles to pump almost half a  
20 billion dollars into the US political system. In his  
21 biography Mr. Wyss's sister explicitly detailed his  
22 ability to, quote, exert an influence on American

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1 domestic politics through his foundations.

2 If this sounds like a staggering amount of  
3 money from a reclusive billionaire and organizations  
4 you might never have heard of, that's because it's all  
5 by design. Again, while speaking to foreign media, Mr.  
6 Wyss admitted that he was fighting laws in Arizona  
7 that, quote, give police too many rights, working to  
8 nominate progressive federal judges and funding  
9 abortion clinics. But the catch, he also bragged that  
10 his, quote, name never appears linked to his efforts.

11 But how exactly by his own words does he exert  
12 an influence? According to the New York Times, Mr.  
13 Wyss's, quote, political activism is channeled through  
14 a daisy chain of opaque organizations that mask the  
15 ultimate recipients of the money. The most opaque of  
16 those organizations is a little known group called the  
17 Sixteen Thirty Fund.

18 According to the Associated Press, the Sixteen  
19 Thirty Fund has, quote, received 208 million from Wyss  
20 since 2016. Bloomberg has also confirmed, quote, Wyss  
21 has disclosed giving over 208 million to Sixty Thirty  
22 Fund, a clearinghouse for the left. Less than one week

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1     ago Politico reported on another cash infusion of \$35  
2     million from Mr. Wyss bringing the total from him into  
3     Sixteen Thirty Fund to a whopping \$243 million.

4             How does this pact -- impact Ohio? In less  
5     than a year that little known but well-funded Sixteen  
6     Thirty Fund has funneled over 14 million into three  
7     Ohio ballot measures. One person one vote, Ohioans  
8     United For Re- -- Reproductive Rights and Citizens Not  
9     Politicians. That's right, the same group that has  
10    received almost 250 million from a foreign national has  
11    turned around and spent over 14 million right here in  
12    Ohio. And there's more spending to come.

13            Citizens Not Politicians, an ironic name given  
14    the ties to foreign funds, is currently collecting  
15    signatures in Ohio. Given their deep pockets, we can  
16    expect even more backing to come from Sixteen Thirty  
17    Fund. This pipeline of foreign cash into Ohio politics  
18    should be stopped. Foreign nationals are already banned  
19    from donating to candidates directly so why should  
20    ballot issues be any different.

21            The proposed legislation would prohibit  
22    foreign nationals from injecting money into Ohio ballot



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1 issues both directly and indirectly, which includes  
2 funneling money through US base non-profit  
3 organizations. I urge you to support Senate Bill 215 to  
4 help foreign nationals from influencing important  
5 policy here in Ohio.

6 Thank you.

7 SEN. RULLI: Really appreciate your testimony  
8 today. It means that we're robust [??].

9 Are there any questions from the Committee?

10 Senator DeMora.

11 SEN. DEMORA: Thank you, Mr. Chairman.

12 So, you are a non-profit, non-partisan  
13 organization in quotes. Tell me what -- what Democrat  
14 works for you or what demo- -- what Republican group  
15 have you ever gone after because everything I read  
16 about you and go after Democratic groups and -- and  
17 left leaning groups? So how is that non-partisan?

18 MS. SUTHERLAND: We are an independent  
19 501(c)(3) based in Alexandria, Virginia that has filed  
20 complaints and raised issues on both the right and the  
21 left. I'd be happy to share with you the ethics  
22 complaints that we have filed against Republicans

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1 including former Congressman Madison Cawthorn and  
2 former Congressman Steven Watkins and former  
3 Congressman Van Taylor.

4 SEN. DEMORA: Okay. Thank you, Mr. Chair. I --  
5 I have a follow up.

6 SEN. RULLI: Follow up.

7 SEN. DEMORA: Okay. Are you still being  
8 investigated by the IRS for illegally doing political  
9 spending from a 501(c)(3)?

10 MS. SUTHERLAND: We are not being investigated  
11 for illegally politically spending.

12 SEN. DEMORA: Oh, then I guess all the news  
13 media I've read is in- -- is -- is not true, huh?

14 MS. SUTHERLAND: Anyone can file a complaint  
15 against anyone. However, that does not mean that it has  
16 merit. Individuals can file ethics complaints, FEC  
17 complaints against organization [sic]. What's important  
18 here is whether they have merit and whether or not  
19 they're well sourced and well cited, like the  
20 information I have brought to you today based on 10  
21 years of tax returns showing a foreign national's money  
22 has poured into a group supporting Ohio issues.

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1           SEN. DEMORA: Thank you, Mr. Chairman. I'm  
2 done with her.

3           SEN. RULLI: Thank you for that answer. Chair  
4 will now recognize Senator Rob McColley.

5           SEN. MCCOLLEY: Thank you, Chairman.

6           Can you go through the depth and breath of  
7 your research and how you -- how you are able to come  
8 to -- into this information and how -- how difficult it  
9 is in some cases to chase it down and really the  
10 exhaustive efforts that you've put into coming up with  
11 the data that you have?

12          MS. SUTHERLAND: Yeah. Thank you Chair, to the  
13 Senator.

14          It is all based on publicly available tax  
15 returns from his two non-profit entities. And so when  
16 you take a look at the money going out from those non-  
17 profits into a variety of causes like the Sixteen  
18 Thirty Fund, you can just add up the dollar amount that  
19 he had spent.

20          And it's not just exclusive to Sixteen Thirty  
21 Fund, the money pouring from this foreign national's  
22 two non-profits by his own words designed to exert and

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1 influence that it's all on these tax returns for anyone  
2 to see and I'd be happy to share that with the  
3 Committee after this hearing.

4 SEN. RULLI: Thank you so much for your  
5 testimony.

6 SEN. MCCOLLEY: Well --

7 SEN. RULLI: Oh, I'm so sorry. Rebuttal from  
8 Mr. -- Senator McColley.

9 SEN. MCCOLLEY: Thank -- thank you Chairman  
10 Rulli.

11 Can you -- you talk a little bit about the --  
12 the daisy chain of organizations when you quoted the  
13 New Times article detailing what's going on here. Can  
14 you detail that a little bit, the -- the lengths to  
15 which sometimes these organizations go to, in some  
16 cases, conceal the funds of -- from their ultimate  
17 source?

18 SEN. RULLI: Proceed.

19 MS. SUTHERLAND: Thank you, Chair to the  
20 Senator.

21 Yes. As I mentioned, that he has openly  
22 bragged that his name never appears. And, so, that is

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1 his ultimate goal is to how to influence American  
2 politics without being an American citizen. If it  
3 sounds confusing, it's because it's by design. He wants  
4 to be one step removed from his influence because he  
5 knows it's illegal. He knows that it's illegal to  
6 donate directly to candidates, which he has since  
7 stopped doing.

8 What we've seen here is a shift to indirectly  
9 influencing our elections, which, again, is still  
10 illegal, which is why it is so important to take the  
11 step to make sure that you ban both direct and indirect  
12 funds of foreign money into ballot initiatives.

13 SEN. MCCOLLEY: Mr. Chairman.

14 SEN. RULLI: Follow up.

15 SEN. MCCOLLEY: Yep.

16 Can you talk a little bit about the -- the  
17 response that typically gets made when some of these  
18 complaints get filed against these organizations about  
19 how, oh, trust us, we -- we -- we have bifurcated the  
20 money? We have somehow separated it, although it's all  
21 in the same organization, we've been able to -- to --  
22 to somehow make sure that no -- no dollars that came in

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1 through this transaction have ever been spent on this  
2 other stuff. Can you talk about the fungible nature of  
3 money and how -- how that quite frankly is a little bit  
4 of a -- a work around in some ways?

5 MS. SUTHERLAND: Yeah. Thank you, Chair to the  
6 Senator.

7 That's exactly right. They have never actually  
8 shown proof that they have any separate bank accounts,  
9 any separate funds. They have been pressed by the  
10 Federal Election Commission in response to an FEC  
11 complaint filed by my organization, APT, and they've  
12 also been pressed by credible news outlets, like the  
13 Associated Press and Bloomberg.

14 But time and time again, they have refused to  
15 prove what you are discussing, is segregated funds. We  
16 continuously hear a, no, trust us. However, when you do  
17 the math it gets -- it's almost laughable when you have  
18 the same organization receiving, as I said, almost a  
19 quarter of a billion dollars from a foreign national  
20 turning around and spending on issues here in Ohio.  
21 There the problem is very easy to see.

22 SEN. RULLI: Thank you so much.

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1           The Chair will now recognize Senator Gavarone.

2           SEN. GAVARONE: Thank you very much for your  
3 testimony. Senator DeMora earlier questioned this  
4 complicated web of -- of financial transactions. Can  
5 you explain the financial shell game that's going on  
6 and how that is intended to hide money from foreign  
7 nationals?

8           MS. SUTHERLAND: Yeah. Thank you, Chair to the  
9 Senator.

10           Yes. You know, he does not -- Mr. Wyss and his  
11 giving he does not want to be made public. He purposely  
12 does not speak to the American people. He -- or the  
13 American press. We have only determined that he is a US  
14 citizen by examining Swiss newspapers. He has referred  
15 with the New York Times did the first exposé on his  
16 daisy chain of organizations.

17           He even refused to tell the New York Times  
18 whether or not he was a US citizen. That is because he  
19 wants to remain reclusive. And yes, the shell game of  
20 setting up these 501(c)(3)s and 501(c)(4)s for the sole  
21 purpose of funneling money into another 501(c)(4) which  
22 then turns around and spends in Ohio, Kansas, Virginia,

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1 Florida, Texas, on and on which we will be seeing in  
2 2024 is a problem.

3 However, when you take a look at just last  
4 Friday the 2022 tax form was just released showing  
5 another \$60 million was poured into our elections. And  
6 the year before that, \$72 million. When you total it  
7 all up it's around half a billion dollars from this one  
8 individual in to American politics. That's a staggering  
9 amount of money and it must be stopped.

10 SEN. RULLI: Follow up Senator Gavarone.

11 SEN. GAVARONE: I just wanted to clarify one  
12 point you made. You mentioned that Hansjorg Wyss is a  
13 citizen.

14 MS. SUTHERLAND: Oh, is not. Sorry, Mr. Chair,  
15 to the Senator.

16 Is not a citizen. He refused to clarify when  
17 the New York Times asked if he was a citizen and then  
18 he declined to even tell the New York Times if he was a  
19 citizen. He is a confirmed foreign national, even by  
20 his own words.

21 SEN. RULLI: Seeing so- -- no more questions,  
22 we thank you so much for your testimony.



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1                   This will constitute the first hearing of  
2       Senate Bill 2- -- 215.

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 47 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio Senate General Government Committee - 2-21-2024)

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A			
<b>ability</b>	<b>action</b>	42:3	33:16, 37:4,
23:22, 30:7,	3:15, 23:11,	<b>again</b>	40:12, 41:14,
36:22, 48:3	28:16, 28:21,	4:10, 8:20,	42:1, 43:20,
<b>able</b>	30:1, 31:4,	13:13, 15:1,	46:7
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# **Exhibit H**





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# Transcript of Testimony of the Ohio Senate

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TESTIMONY OF THE

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OHIO SENATE

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MAY 8, 2024

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20 Job No.: 540606

21 Pages: 1 - 26

22 Transcribed by: Christian Naaden

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1 P R O C E E D I N G S

2 SEN. HUFFMAN: -- the motion is agreed to.  
3 Bills for third consideration.

4 CLERK: Substitute House Bill Number 114,  
5 Representative Humphrey, Sykes, and others, to amend  
6 section of the revised code to modify the campaign  
7 finance law and to delay the deadline for the major  
8 political party [inaudible] presidential advice,  
9 president of candidates for the security of state for  
10 the 2024 general election.

11 SEN. HUFFMAN: So the question is shall the  
12 bill pass? The chair recognizes Senator McColley.

13 SEN. MCCOLLEY: Thank you, Mr. President. Um,  
14 I stand in favor of House Bill 2 -- 114. Let's go  
15 through, I suppose the -- the underlying bill that came  
16 over and then some amendments that were made in  
17 committee.

18 The original bill dealt with the allowance of  
19 using campaign funds to pay for certain childcare  
20 expenses that are incidental to the performance of  
21 one's duty in their elected office.

22 So it would allow them to use those funds for

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1 any carrying out of their official duties and would, it  
2 incidentally would create an opportunity for parents of  
3 young children or single parents to be able to have  
4 more ability to run for office.

5 And also, the amendment we adapted earlier  
6 today tighten the language to ensure these funds are  
7 used appropriately and not for extravagant expenditures  
8 including ensuring the cost must be reasonable, that  
9 also that the care is rendered in state and that the  
10 child actually needs care based on the age, and that  
11 the expenditure are made only by the primary caregiver.

12 There was two other amendments that were  
13 selected. And both of these amendments that we added  
14 earlier today have to do with very important issues  
15 that we need to take care of in the very short term  
16 because they're going to impact the upcoming election.

17 One of course, is the amendment that would  
18 need to be made or the change in law, temporary law  
19 that would need to be made in light of the Democrat  
20 National Committee deciding that they were going to  
21 have their convention after the filing deadline in the  
22 State of Ohio.

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1 I can speak for myself, as much as I already  
2 know who I am going to vote for, and it will not be the  
3 nominee coming out of that convention. Nevertheless, I  
4 think Ohio ones deserve to have a choice when they go  
5 to the ballot, and states should not be using lawfare  
6 or otherwise to try and take their political enemies  
7 off the ballot.

8 And so, that's one thing that we believe I  
9 guess should be fixed on a temporary basis. We  
10 shouldn't be making a permanent law change in this  
11 circumstance because there are a lot of potential  
12 consequences that have to do with the calendar leading  
13 up to an election that Secretary LaRose has been pretty  
14 consistent about in dealing with many of these tight  
15 timeframes as it comes to conducting election.

16 So, this would allow for in essence the date  
17 that would have been the -- the candidate would have  
18 been, needed to have been certified by, would have been  
19 August 7th. We're changing that to August 23rd, which  
20 is 74 days before the election.

21 So this should allow for the Democratic  
22 National Committee to provide the nominee so Ohioans

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1 can have that choice on the ballot when they go to  
2 vote.

3 We also dealt with another issue that as I  
4 mentioned before, is a clear and present threat to the  
5 upcoming election.

6 We have a clear and present threat to the  
7 upcoming election in the form foreign election  
8 interference that is going on right now in the State of  
9 Ohio, right underneath our very noses.

10 We know and we've talked about this before,  
11 Senate Vote 215, we already voted it out, but we're  
12 adding provisions that are similar to that into this  
13 bill because we know for a fact that organizations  
14 linked to foreign nationals contributed almost \$14  
15 million in the State of Ohio in the last year alone as  
16 it related to the elections that occurred in August and  
17 November.

18 We know there is already an elections  
19 commission opinion that was issued in 2021 that said  
20 this was prohibited. They did it anyway. And so, we  
21 know that those same entities are also involved in this  
22 upcoming election, thereby, having foreign national

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1 interference into our elections.

2 We should be on a bipartisan basis against  
3 this. Both sides over the course of the very short  
4 recent history, have also bemoaned the fact that there  
5 is foreign interference in our elections. We should be  
6 on a bipartisan basis against this.

7 So what would the bill do and how is it  
8 different than Senate Bill 215 that we already passed  
9 out of this chamber?

10 So Senate Bill 215 as we passed it out, we  
11 sought to increase semi-accountability measures that  
12 would be in the bill through some donor disclosure  
13 requirements that would have been in that bill.

14 We found out later from talking with some --  
15 some experts on campaign finance law and first  
16 amendment law, who said you're likely to go awry of  
17 some supreme court precedence, United States Court  
18 precedence, as it could -- as it pertains to people  
19 being able to give to these types of campaigns and the  
20 disclosure requirement.

21 So after talking with them we've come up with  
22 some changes that I'll summarize. So it would prohibit

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1 foreign nationals from making these types of  
2 contributions directly or indirectly.

3 And it goes into a greater definition of what  
4 directly or indirectly would be as well. But we also  
5 added a mental copiability provision to this knowingly  
6 because one could easily see how one might unknowingly  
7 unwittingly to themselves, almost one might argue,  
8 accidentally take money from a foreign national even if  
9 it was a small amount and accidentally trigger the  
10 statute.

11 Those aren't the types of people we're after.  
12 The types of people we're after are those who actually  
13 actively conspire and set up a method by which to  
14 accomplish these goals.

15 And quite frankly, the dollar amounts that are  
16 really the biggest danger right now where the foreign  
17 election and their appearance is coming from, are so  
18 significant that anybody would know where this money  
19 was coming from. So let's be clear about that.

20 We also would require political entities to  
21 certify on their campaign filings that they have not  
22 and will not knowingly accept prohibited con- --



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1 contributions under the language, under the penalty of  
2 election falsification.

3 Again, adding the knowingly portion for the  
4 mens rea a part of that. Clarifies that the term  
5 independent expenditure includes expenditures  
6 advocating for the support or opposition to a ballot  
7 issue or the circulation of the ballot issue petitions.  
8 Specifies that committees in charge of a ballot issue  
9 must register as a pack.

10 Now, you may think oh, packs are these big  
11 daunting organizations. Under the state statute they are  
12 much simpler organizations. It's in essence you  
13 registering on a very simple registration form with the  
14 secretary of state that you are receiving money for  
15 against an issue. And then you would have to certify  
16 that you're not going to take the inappropriate and  
17 prohibited contributions under the language.

18 And you would have to take that register if  
19 you were going to make expenditures or against a ballot  
20 initiative. We require a person who violates foreign  
21 national contribution prohibition do not only return  
22 the contribution but pay the maximum fine for doing so.

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1           And so, what we have seen over the past -- in  
2           the past regarding some of these provisions is that the  
3           Ohio Elections Commission, even though they may make a  
4           finding that this was violated, oftentimes are giving a  
5           slap on the wrist to the violators.

6           When we're talking about the kind of money  
7           that's coming in, a slap on the wrist is the cost of  
8           doing business to many of these people, and they're  
9           going to continue to do it if we don't have some real  
10          accountability.

11          And it also would move jurisdiction for  
12          prosecution for these types of cases to either the  
13          county in which the violation occurred, because let's  
14          be honest, these violations could occur all over the  
15          state or the attorney general.

16          Current prosecution authority is solely with  
17          the Franklin County prosecutor. Now, you have to ask  
18          yourself if a violation occurred up in Lucas County,  
19          why would the Franklin County prosecutor with their  
20          bandwidth and -- and with the -- with many of the --  
21          the restraints that they have on their own office and  
22          resources, why would they be all that thrilled about

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1 prosecuting a case all the way up in northwest Ohio.

2 The chances are they would not.

3 And so, this allows for the prosecution to  
4 occur locally where it occurred or in the case as well  
5 of a foreign national who oftentimes isn't going to  
6 have the same ties to the State of Ohio as a  
7 traditional criminal defendant would. It allows for the  
8 state itself through the attorney general's office to  
9 throw its full resources behind bringing these people  
10 to accountability.

11 So those are -- those are the changes that  
12 have been made. It's a better bill now than what it was  
13 when we passed it out.

14 And it's something that I think again on a  
15 bipartisan basis, we should all be able to come  
16 together and at the very least acknowledge that we  
17 don't want foreign election interference, we don't want  
18 tens of millions of dollars coming into the state  
19 trying to impact our elections going forward,  
20 regardless of what side of the aisle you are on.

21 And quite frankly, as I said before, would  
22 that \$14 million have made a difference in the

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1 elections this past August and November?

2 Probably not, but that doesn't make it any  
3 more right, and so that's why we need to make the picks  
4 [ph]. Thank you, Mr. President. I urge the passage.

5 SEN. HUFFMAN: Thank you, Senator. The chair  
6 recognizes Senator Demora.

7 SEN. DEMORA: Thank you, Mr. President. First  
8 time I even had a group of kids up here today too so  
9 I'm sorry about that.

10 If all things are fair, this would have been  
11 an easy yes vote, because if all things were fair, this  
12 would have been a clean bill with a simple amendment  
13 that would have made sure that President Biden got on  
14 the ballot.

15 Unfortunately, it is so common with pieces of  
16 this legislation coming from this building. This  
17 legislation is not fair, it's not bipartisan, it's not  
18 how policy should be made. Because of the no-brainer  
19 yes vote that was passed out of the house, which would  
20 have put this in line with federal regulations between  
21 other states, this bill becomes absolutely partisan.

22 House Bill 114 would have made great steps to

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1 make sure that no one would be barred from running for  
2 office because they have a child. But instead, this sub  
3 bill takes a huge chunk out of the original intent of  
4 that bill, limiting the spending to only children under  
5 the age of 12. I happen to have a nephew who is 21,  
6 he's severely mentally disabled.

7 My aunt -- my aunt, excuse, my sister-in-law,  
8 I'll get that right, I never know the -- that stuff --  
9 my sister-in-law couldn't run for office because my 21  
10 years old nephew who is severely mentally disabled  
11 can't be by himself, but if she want to run for office  
12 this bill now precludes her from using campaign fund if  
13 she wanted to because my nephew is over 12. So why was  
14 that taken out of the bill?

15 The sponsors didn't know about it, there was  
16 no opponents to that provision of the bill when it  
17 passed the house. But we did that ruining a lot of what  
18 House Bill 114 would do in its own right. The parts of  
19 the sub bill that would have fixed the problem where  
20 the state [inaudible] early deadline to get on  
21 presenter ballot, the earliest in the nation, also  
22 should have been an easy thing to vote yes on.

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1 I personally believe the legislation should be  
2 needed to find a solution to this [inaudible] release I  
3 would prefer a permanent solution. I understand the  
4 time constraints that this is what the process they  
5 wanted but this is not what this bill is either. I  
6 mean, this bill is partisan politics at its worst,  
7 shoving Senate Bill 215 into a completely unrelated  
8 bill after every Democratic voted against 2 -- 215 the  
9 first time, is a worst kind of politics.

10 If you remember 215 is a direct attack on  
11 direct bureaucracy that the citizens participate it. It  
12 would open up small time community organizations a fine  
13 of \$10,000 if they decide to buy a couple of t-shirts  
14 for the friends in support of a local ballot issue or  
15 do nothing to actually stop the problem of dark money  
16 or politics.

17 And just like Senate Bill 215, this bill will  
18 actually give any way to crack down on foreign  
19 spending, it's about as powerful as all these  
20 resolutions [inaudible] President Biden saying doing  
21 this, do that.

22 There's no power in this -- in the bill to

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1 actually crack down on anything because we didn't fund  
2 actual people to -- at the Elections Commission to --  
3 to investigate any of these so-called foreign money  
4 donations. So why are we doing this?

5 For one, it sounds good in a primary stump  
6 speech and number two, it's because the majority party  
7 got drubbed in the elections in August and November  
8 about the ballot issues and they have decided they have  
9 to do something else to try to fix the elections so  
10 their ballot issues can go through without citizens  
11 opposing them.

12 [Inaudible] Bill 215 -- 215 got drafted after  
13 the embarrassing show into August and November with  
14 voters in Ohio showed that they wanted direct democracy  
15 and didn't like the wishes of -- of -- of jury  
16 [inaudible] legislature.

17 And even though 215 passed this senate on a  
18 parti- -- on a completely partisan limits, then in a  
19 Republican controlled house, it died. It didn't get a  
20 hearing.

21 So, I mean, it's not the Democrats held the  
22 bill at the first time, it's fellow Republicans that

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1 didn't bring this bill to a vote and decided not to  
2 vote on it because they thought it was egregious as  
3 well.

4 I offer an amendment to the committee to take  
5 all the egregious parts of this bill to make it the  
6 original 242 -- the original 214 -- excuse me, 114 and  
7 just put the president on the ballot but that bill, of  
8 course, my -- my amend was tabled.

9 So if we really believe in full democracy,  
10 which would have had a clean bill that allows the  
11 president on the ballot without having to make it  
12 completely partisan, but of course, we can't do that  
13 because we have to put partisanship in this bill so  
14 that the majority party can say that, you know, they're  
15 cracking down on something that's really not going to  
16 crack down on.

17 This is an attempt to attack democracy. It  
18 isn't subtle or sneaky, it's completely obvious to  
19 anybody paying attention that they put -- they're  
20 putting the president on the ballot and a bill that  
21 Democrats voted against the first time and vote against  
22 today, is just their way of saying that they did really



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1 good but again, it's not good enough.

2 I really wanted to vote yes on 114. I wanted  
3 to vote to make sure President Biden got on the ballot.  
4 Those are both partisan -- bi-partisan common-sense  
5 solutions to serious problems.

6 But of course, I can't do that because Senate  
7 Bill 215 is completing this bill and it's worst that  
8 its first iteration and for that I'm going to vote no.  
9 Thank you, Mr. President.

10 SEN. HUFFMAN: Thank you, Senator. Chair  
11 recognizes Leader Antonio.

12 SEN. ANTONIO: Thank you, Mr. President. It's  
13 an interesting -- interesting process we have. Couple  
14 of years ago, there was a time when both Democrats and  
15 Republicans needed to make a temporary fix because of  
16 the dates didn't line up with our -- with our  
17 respective con- -- conventions, and so there was a  
18 legislative fix that went through at the time.

19 It was great and we had our conventions,  
20 everybody was on the ballot. Our nominees for both  
21 parties, those were on the ballot and we went on from  
22 there.

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1           This time around, it's just the Democrats. And  
2           so, we have a bill. That's an awesome bill that was  
3           originally a Democratic bill years ago, to -- to pay  
4           for childcare. This is a great idea -- what a great  
5           idea for -- for people who are campaigning, kind of  
6           level the playing field a little on a playing field  
7           that's never level.

8           And -- and so, how -- what a great idea,  
9           wonderful. It also provides a vehicle. We talked about  
10          a lot about vehicles to be able to do some other  
11          things.

12          And as my colleague has already pointed out,  
13          unfortunately, the things that have been added make the  
14          bill that started out as a benign little bill and would  
15          have provided also a short-term fix for the ballot so  
16          that both candidates would be on the ballot, which is  
17          what I think we all always want, to have a fair  
18          election, free and fair elections in our country, in  
19          our state.

20          We still profess to embrace that. I certainly  
21          do, and -- but unfortunately, the language from 215  
22          that is worse than it was before, not better as far as

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1 I am concerned, continues to take away the rights of  
2 the people of the State of Ohio when they are  
3 attempting a ballot initiative.

4 And, you know, ballot initiatives are  
5 difficult. They are difficult to do. They take a lot of  
6 work. There's a lot of hoops to jump through to get --  
7 to get one on the ballot and then actually to pass it.  
8 And it does seem like this is a bit of retribution for  
9 the fact that we've already passed a couple ballot  
10 initiatives.

11 You see, when the legislature is out of step  
12 with the people of the State of Ohio, the people have  
13 recourse, they take things into their own hands through  
14 a ballot initiative.

15 And this bill would profess that we're going  
16 to protect everyone because we're going to make sure  
17 that foreign nationals do not donate, do not contribute  
18 funds to those ballot initiatives. Well, it's already  
19 illegal for foreign donors to donate to Ohio elections.

20 This is harmful because a handful of  
21 politicians are trying to exercise power to harass the  
22 people that are trying to forward a ballot initiative,

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1 and there is a couple that we may be looking at this  
2 fall. We need to make sure that we call this what it  
3 is.

4 It's an attempt to quash the voice of the  
5 voters one more time. And they're on a winning streak  
6 right now, because they're not winning here in this  
7 chamber or the other chamber, they're winning at the  
8 ballot box.

9 They have a message to other voters that  
10 apparently has been resonating and that's how these  
11 initiatives have passed. And so, what we see once  
12 again, is an attempt to silence them, an attempt to  
13 make it more difficult, more hoops to jump through  
14 under the guise of protecting them from foreign  
15 influence and money.

16 I find it ironic that the priority today is to  
17 make a difference and make a change for ballot  
18 initiatives when this is in our legislature.

19 In this state, we have been the givers, the --  
20 the receivers, the ex- -- we have had the experience of  
21 one of the largest corruption scandals that the country  
22 has ever seen in our state, and yet today we're talking

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1 about reforming ballot initiatives rather than  
2 reforming political campaigns and campaign giving or  
3 individual campaigns.

4 This is not a campaign finance reform piece of  
5 legislation what we should be doing, but that's another  
6 story. So I, like my colleague who just spoke, will be  
7 voting no on this, and I urge a no vote on this.

8 I also urge us to try to figure out how to  
9 work together to not quash the voice of the people of  
10 the State of Ohio but to actually listen to them for a  
11 change. Thank you. Thank you, Mr. --

12 SEN. HUFFMAN: Thank you, Leader. Chair  
13 recognizes Senator Kunze.

14 SEN. KUNZE: Thank you, Mr. President. I rise  
15 today to just say I think we don't always get to pick  
16 what comes to the floor that we're going to vote on,  
17 but to me I think this is a simple -- a simple yes vote  
18 because we're allowing the president of the United  
19 States to appear on the ballot in Ohio, and that is  
20 right and fair. Thank you.

21 SEN. HUFFMAN: Thank you, Senator. Chair  
22 recognizes Senator McColley.

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1           SEN. MCCOLLEY: Thank you, Mr. President. I  
2 just want to address some of the comments that have  
3 been made about how somehow, we're suppressing ballot  
4 campaigns. Let's keep in mind what -- what they're  
5 referring to is the parity that we are creating between  
6 ballot campaigns and candidate campaigns.

7           So all of us in this room know that before we  
8 even file our petitions, before we may even get a  
9 signature on our petitions, we have to file a  
10 designation of treasurer and we have to begin disposing  
11 our donations and our -- our contributions, and our  
12 expenditures. Right? Because that's what the voters  
13 want to see. They want to see who is financing these  
14 campaigns. It's campaign finance transparency.

15           We are doing the same thing in this bill for  
16 ballot campaigns, and that -- we are saying that if you  
17 are raising in some cases for these state-wide  
18 campaigns millions of dollars before they even start  
19 gathering signatures, that we think the voters of the  
20 State of Ohio deserve to know that. That's what we're  
21 doing here.

22           And so, to say that we're somehow suppressing

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1 a multi-million-dollar campaign in certain  
2 circumstances, I just think is -- is ridiculous on its  
3 base. And so, again, I would urge passage.

4 SEN. HUFFMAN: Thank you, Senator. The  
5 question is, shall the bill pass? Please call the roll.

6 CLERK: Antonio? Blessing? Brenner?

7 SEN. BRENNER: Yes.

8 CLERK: Chavez?

9 SEN. CHAVEZ: Yes.

10 CLERK: Cirino?

11 SEN. CIRINO: Yes.

12 CLERK: Craig?

13 SEN. CRAIG: No.

14 CLERK: Demora?

15 SEN. DEMORA: No.

16 CLERK: Dolan?

17 SEN. DOLAN: Yes.

18 CLERK: Gavarone?

19 SEN. GAVARONE: [Inaudible].

20 CLERK: Hackett? Hicks-Hudson?

21 SEN. HICKS-HUDSON: No.

22 CLERK: Steve Hoffman?

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1 SEN. HOFFMAN: Yes.  
2 CLERK: Ingram?  
3 SEN. INGRAM: No.  
4 CLERK: Johnson?  
5 SEN. JOHNSON: Yes.  
6 CLERK: Kunze?  
7 SEN. KUNZE: Yes.  
8 CLERK: Landis?  
9 SEN. LANDIS: No.  
10 CLERK: Lang?  
11 SEN. LANG: Yes.  
12 CLERK: Manning?  
13 SEN. MANNING: Yes.  
14 CLERK: McColley?  
15 SEN. MCCOLLEY: Yes.  
16 CLERK: O'Brien?  
17 SEN. O'BRIEN: Yes.  
18 CLERK: Reineke?  
19 SEN. REINEKE: Yes.  
20 CLERK: Reynolds?  
21 SEN. REYNOLDS: Yes.  
22 CLERK: Roegner?



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1 SEN. ROEGNER: [Inaudible].

2 CLERK: Romanchuck? Rully?

3 SEN. RULLY: No.

4 CLERK: Schaffer?

5 SEN. SCHAFFER: Yes.

6 CLERK: Smith?

7 SEN. SMITH: No.

8 CLERK: Sykes?

9 SEN. SYKES: No.

10 CLERK: Wilkin?

11 SEN. WILKIN: Yes.

12 CLERK: Wilson?

13 SEN. WILSON: Yes.

14 CLERK: President Hoffman?

15 SEN. HUFFMAN: Yes. With 24 yays and seven  
16 nays, the bill is passed and titled.

17 CLERK: A bill to amend sections of the  
18 revised code and modify the campaign finance law and to  
19 delay the deadline for major political party to certify  
20 as the presidential, vice-presidential candidates of  
21 the secretary of state for the 2024 general election.

22 SEN. HUFFMAN: The question is, shall the

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1 title be agreed to?

2 Any member would like to add their name to the  
3 title, ple- -- please do so now. The title is agreed  
4 to. Bill for third consideration.

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 25 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio Senate - 5-8-2024)

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# **Exhibit I**





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# Transcript of Testimony of Ohio House Government Oversight Committee - Special Session 052824

**Date:** May 28, 2024

**Case:** 2024 Ohio Campaign Finance Litigation

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TESTIMONY OF THE

8

OHIO HOUSE GOVERNMENT OVERSIGHT COMMITTEE

9

MAY 28, 2024

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SPECIAL SESSION

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Transcribed by: Christian Naaden

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Conducted on May 28, 2024

P R O C E E D I N G S

REP. PETERSON: We have two items before us, House Bill 1, Representative Seitz. Would you like to present testimony?

REP. SEITZ: Thank you, Mr. Chairman, Vice Chairman Thomas and Ranking Member Humphrey. In my 24 years up here, I don't think I've ever had House Bill 1. So I appreciate the -- the governor calling a special session to give me that great distinction of having the number one bill in the session, how about that.

We are focused on a bill that is intended to bridge the gap between the Senate's version, which they've sent us two, on the foreign money ban issue. They sent us House Bill 114, they sent us House Bill 305. Both of them were good stabs at the issue.

House Bill 305 did make some changes from House Bill 114, because there were some concerns expressed by various interest groups about the breadth and perhaps unintended consequences of certain language in House Bill 114.

House Bill 305 took care of many of those

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1 concerns, however, House Bill 305 also contained about  
2 40 unrelated provisions that had nothing to do with the  
3 foreign money ban and on that basis alone, it seems to  
4 me we were taking needless litigation risk by passing  
5 that bill, particularly site unseen because of the  
6 single subject rule.

7 All of us share a common goal, I hope, of  
8 wanting to ban foreign money from Ohio elections, both  
9 candidate elections and ballot issue initiative and  
10 referendum elections.

11 This should not be a partisan issue. I'll  
12 start by saying Harvard University's professor,  
13 Laurence Tribe is certainly one of the more liberal  
14 professors in the world, said in 2021 offering  
15 testimony to the Seattle City Council on this subject,  
16 he said, regulating political spending by corporations  
17 with significant foreign ownership is consistent with  
18 the Constitution and supreme court precedent, indeed  
19 concern about po- -- potential foreign influence over  
20 our Democratic politics is written into the  
21 Constitution itself.

22 And while the supreme court has held that the

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1 First Amendment prohibits limits on independent  
2 expenditures in general, it has made an important  
3 exception for spending by foreign nationals.

4 Federal law, as hopefully we all know, does  
5 prohibit spending on campaigns by foreign nationals.  
6 That's good, we are trying to emulate that at the state  
7 level just like federal law prohibited non-citizens  
8 from voting, but in order to put suspenders on that  
9 proposition, we passed a Constitutional amendment in  
10 Ohio a couple years ago with 77 percent approval that  
11 applied that very same principle to all state and local  
12 elections, there being a question as to whether the  
13 federal law does in fact jur- -- have jurisdiction to  
14 ban practices at the state and local level.

15 That's still very much a question. So what  
16 we're doing here is trying as much as possible to  
17 emulate not only federal law but also to emulate and  
18 implement a -- an -- a written opinion of the Ohio  
19 Elections Commission who opined in 2021 that Ohio law -  
20 - they viewed Ohio law to already ban spending by  
21 foreign nationals in ballot campaigns as well as on  
22 candidates.

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1           However, we all know that the Ohio Elections  
2 Commission has in recent years been something of a  
3 paper tiger and a written opinion of the Ohio Elections  
4 Commission is far from the gravity and heft of a  
5 statute. And so therefore, what we're trying to do is  
6 bring forward principles that align with the federal  
7 law and that align with the OEC opinion and put that  
8 into Ohio statute.

9           You will note two very signal differences  
10 between our short bill of 21 pages and the Senate's  
11 very long bill, 305, the first 2 obvious ones are we  
12 don't have any of the extraneous provisions that were  
13 part of 305 in this bill, this bill deals only with the  
14 foreign money ban issue and unlike 305, this bill does  
15 not deal with the question of whether President Biden  
16 belongs on the ballot this year in Ohio.

17           That will be addressed in a separate bill  
18 brought forth by my colleague, Representative Dobos  
19 after we're done. So I have prepared and hopefully by  
20 the end of this speech you'll have it and your folks  
21 will make copies for the committee a comparison  
22 document of sorts that compares what the Senate bill

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1 does on foreign money ban to what we're doing here and  
2 you'll see the differences; okay?

3 We are pretty much the same on the enforcement  
4 of the new prohibition, vesting enforcement in the  
5 attorney general of Ohio upon recommendation of the OEC  
6 and giving him investigatory power over the conduct of  
7 foreign nationals.

8 We are also very much in line with the Senate  
9 on the penalties for violation of the foreign money  
10 ban, but unlike the Senate, we are being much more  
11 geometrical in our approach to the question.

12 What do -- what do I mean by that? The  
13 shortest distance between two points is a straight  
14 line. So let's be simple and direct emulating federal  
15 law, emulating the Ohio Elections Commissions'  
16 rationale as much as we can without getting into what  
17 we view as being possibly redundant and unduly verbose  
18 language that is throughout the Senate version of the  
19 foreign money ban bill.

20 You will see that we do not include the  
21 Senate's rewrite of the definition of foreign national,  
22 we do not include that, we are adhering to the federal

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1 definition of foreign national. So that's one  
2 difference. Another difference is we do not yet have a  
3 requirement that every treasurer of every campaign must  
4 sign a certification of compliance, because we think  
5 that that may be a little bit much in terms of the  
6 penalties that might be imposed on some treasurers  
7 somewhere. Unlike the Senate bill, we are  
8 confining this bill only to spending on statewide  
9 ballot initiatives, whether Legislatively initia- --  
10 initiated or not and -- and statewide initiative and  
11 referendum petitions.

12 The Senate bill sweeps in all elections,  
13 including local ones, which cons- -- which caused some  
14 folks in the Senate and on the minority party side to  
15 be making a big deal out of the fact that now we need  
16 to get into all of this -- the detail if somebody is  
17 just trying to do a local liquor li- -- option in a --  
18 in a given precinct somewhere, they would have to go  
19 through all this fufora [ph], which we don't think is  
20 really necessary if the goal here is to try to restrict  
21 foreign spending on statewide issues.

22 So that's another difference between ours and



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1       theirs; okay? We, again, share the goal of banning  
2       foreign national spending on statewide elections and to  
3       a very large extent, this is strictly a -- a -- an  
4       argument among lawyers as to the best way to do it.

5               So I know our legal counsel has been in close  
6       contact with their legal counsel, I participated in  
7       some calls between both legal counsels and Senator  
8       McColley who is the principle draftsman or the  
9       principle sponsor over there of these initiatives.

10              And so we -- we're making progress is what  
11       I'll say, but what I'll further say is until we get  
12       agreement with the Senate, there's really no point in  
13       proceeding, because we all know it takes two -- it  
14       takes two chambers to eventually come to an agreement  
15       before we get anywhere. We believe we're making  
16       progress, we believe there may even be --

17              In fact, some of us are working on even a more  
18       direct and simple approach, which you may see in a  
19       substitute bill or amended bill as time marches on this  
20       week, but our goal is to get this stated clearly,  
21       concisely as possible and proceed from there leaving  
22       the question of Mr. Biden to a different bill and that

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1 is what this bill is all about. And with that, I'll be  
2 happy to try to take your questions.

3 REP. PETERSON: Thank you for your testimony.  
4 Thank you for your work on this effort. Are there  
5 questions for the witness? Representative Isaacsohn.

6 REP. ISAACSOHN: Thank you, Chair. I imagine  
7 there will be a fair amount of questions for  
8 Representative Seitz. Representative Seitz, I'll start  
9 with congratulations on getting House Bill 1, very  
10 exciting for you.

11 My question is -- first question is sort of  
12 you presented in a vacuum that these are two separate  
13 bills, let's talk about them separately, but the  
14 reality is these bills together are why House Bill 1  
15 and 2 are why we have a special session and it was  
16 clear in the governor's proclamation.

17 And so I'll start by one of your colleg- --  
18 one of our colleagues, Representative Bird said on  
19 Friday that the reason we need a special session is  
20 because there is a price to be paid and that we deserve  
21 to get something for Democrat's mistakes. Is House Bill  
22 1 the price to be paid for getting the president on the

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1 ballot in House Bill 2?

2 REP. SEITZ: Well, Mr. Chairman and -- and  
3 Representative Isaacsohn, I'm not going to comment on  
4 what Representative Bird did or didn't say; okay?  
5 They're two separate issues. We're here, because the  
6 governor called a special session. He called a special  
7 session to address these two issues.

8 What linkage there is between the two issues,  
9 I guess everybody's entitled to make their own opinion,  
10 but I'm not going to sit here and -- and -- and  
11 speculate on what -- what Representative Bird meant and  
12 I've heard Representative Stewart say much of the same  
13 thing, they're them and I'm me. So you can ask them the  
14 question if you see them this week.

15 REP. PETERSON: Continue and let's keep our  
16 topic on House Bill 1. We've got House Bill 2 coming.  
17 Proceed.

18 REP. ISAACSOHN: With all due respect, Chair,  
19 the governor calling a special session made it very  
20 clear that these two are linked. They are -- it is a  
21 fallacy and we're --- you know, it's a pure  
22 hypothetical to say that they're not linked. We are

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1 doing one because of the other.

2 And so I guess my question is do you -- do you  
3 think it's appropriate to set the precedent that to get  
4 the president of the United States on the ballot, there  
5 needs to be a compan- -- a price to be paid in a  
6 separate bill in House Bill 1 to achieve some political  
7 goal?

8 REP. SEITZ: Well -- well, let's --

9 REP. PETERSON: You may respond if you wish or  
10 you may --

11 REP. SEITZ: Yeah. Yeah.

12 REP. PETERSON: -- we can go on to the next  
13 one.

14 REP. SEITZ: Yeah. I mean, Mr. Chairman,  
15 Representative Isaacsohn, I mean, that's really kind of  
16 irrelevant too. The fact of the matter is these are two  
17 issues that are very important issues. You will recall  
18 that this committee passed in Senate Bill 92 a  
19 straightforward issue of putting Biden on the ballot.

20 So obviously, there was no linkage at that  
21 point and time and that's what this committee has  
22 already voted to do. So I -- I dispute the idea of

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1 linkage there. And the -- the other thing I'll say is  
2 the -- the committee process is to figure out the best  
3 way to get some things done. There was a number of my  
4 colleagues that were not going to vote for anything  
5 having to do with Joe Biden unless -- unless the  
6 foreign money issue was also resolved.

7 That was them and I'm me. We are trying to  
8 respond to the governor's call for a special session.  
9 We have no choice but to do so. These are -- they are  
10 two separate issues in my mind and always have been and  
11 if we deal with them at the same time, so what.

12 REP. PETERSON: Representative Skindell.

13 REP. SKINDELL: Thank you, Mr. Chair. Thank  
14 you, Representative Seitz. You and I and I think there  
15 was a couple others who were here in 2004 with the last  
16 special session and we were dealing with campaign  
17 finance issues. In your opening, you had mentioned that  
18 there were several interest groups that approached  
19 Legislators working on this issue regarding the breadth  
20 of 114 and I'm kind of curious what interest groups  
21 were those that were expressing concerns at that time.

22 REP. SEITZ: Sure. Sure. And Mr. -- Mr.

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1 Chairman and Representative Skindell, three that I'm  
2 aware of and again, only indirectly, because only one  
3 of them actually came to me, the one that came to me  
4 was the Buckeye Institute, you're certainly familiar  
5 with that thinktank, the Catholic Conference and Ohio  
6 Right to Life and -- and those were the three that had  
7 -- I heard either through the grapevine or directly  
8 that had questions.

9 And so some of those questions were answered  
10 in the language that you see in 305. The language --

11 REP. SKINDELL: Okay.

12 REP. SEITZ: -- that you see in 305 reflects a  
13 tweak or a change recommended by the Buckeye Institute,  
14 which in their view and in the view of the Catholic  
15 Conference and Ohio Right to Life resolved whatever  
16 question they had about over-breadth.

17 REP. SKINDELL: Okay. Mr. Chair to  
18 representative, thank you. Just I don't need the minute  
19 details, but could you just generally describe what the  
20 overall concerns were of these groups that --

21 REP. SEITZ: Well, Mr. Chairman and  
22 Representative Skindell, I -- I probably couldn't,

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1 because as I told you, I didn't hear from the Catholic  
2 Conference or the Ohio Right to Life myself; okay? And  
3 the Buckeye Institute was just concerned about any  
4 language that could somehow be construed to be a donor  
5 disclosure type of requirement and about any language  
6 that would penalize the inadvertent acceptance of  
7 foreign money.

8 For example, I kept hearing this hypothetical,  
9 what if a -- what if a -- an immigrant from Latin  
10 America comes to Our Lady of the Perpetual Sorrows  
11 Church and throws some money in the plate and  
12 ultimately, that money finds its way into the Catholic  
13 Arch Dioceses to be spent on -- on, you know, fighting  
14 whatever ballot issue they care to fight this year,  
15 would that be a problem?

16 That was the -- that was the hypothetical that  
17 was spun. I thought it was rather fanciful at the time,  
18 but the Senate did try to deal with that in their  
19 language by -- by requiring three levels of mens rea  
20 and scienter in order for that to apply. We are not  
21 following that model in this bill, we are more -- more  
22 nearly tracking the language that we see in the OEC

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1 opinion and in federal law.

2 REP. SKINDELL: Okay. Mr. Chair.

3 REP. PETERSON: Continue.

4 REP. SKINDELL: Thank you. In your opening,  
5 you had mentioned that one of the things that the  
6 Senate bills had and this one doesn't was with regard  
7 to the certification of the -- the campaign committee.  
8 I noted that in House Bill 1 at line 303 and also at  
9 418, there is a certification. I'm kind of curious,  
10 just what is that certification in comparison to the  
11 one that you're trying not to include from the Senate?

12 REP. SEITZ: Well, the Senate language  
13 requires all campaign treasurers to certify under  
14 penalty of election falsification, which is a felony,  
15 that they have not violated any campaign finance laws  
16 and certification is required both at the time of  
17 filing your initial designation of treasurer and when  
18 filing your statement of contributions and  
19 expenditures.

20 So you know, the concern that I've heard about  
21 that is do you really want to -- I mean, it's going to  
22 be hard to find people willing to serve as treasurers



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1 if you've got to give all these certifications under  
2 penalty of being a felon.

3 And so the compromise that I would suggest and  
4 we'll see if the Senate would like to go with it is  
5 rather than say nothing on that score, we could say,  
6 well, yeah, we still need a certification from a real  
7 live person, but it might just be a -- a -- a -- a  
8 civil penalty or a fine of some sort as opposed to a  
9 felony conviction; okay?

10 That's one possible compromise on this issue.  
11 We don't have it yet, but that would be a compromise on  
12 this issue. The reason is if you recall, because you're  
13 an old-timer, there was a big case some years ago in  
14 which some outfit out of Virginia spent boku money on  
15 some Ohio election, and I forget what they were  
16 spending the money on, but we -- they were doing it all  
17 wrong and they were ultimately found --

18 The committee was found to be responsible for  
19 millions of dollars in fines, but there was no real  
20 live individual that they could pursue and the  
21 committee was sort of like gone with the wind. So we've  
22 got this huge, horrendous multi-million-dollar fine

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1 floating around in the ether and no way to collect even  
2 a farthing of it.

3 So I think that might've been part of the  
4 underlying basis for why we need some sort of a  
5 certification from the -- from the treasurer. I think  
6 the dispute is a very narrow one over how extensive is  
7 the penalty for an improper or in- -- untruthful  
8 certification.

9 REP. SKINDELL: Mr. Chair.

10 REP. PETERSON: Continue.

11 REP. SKINDELL: Thank you for that,  
12 Representative Seitz. I know sometimes we've given LLC  
13 instructions and then we find -- see the actual bill  
14 and they actually didn't deal with it. You may just  
15 want to reexamine those 2 areas --

16 REP. SEITZ: Yeah. We did.

17 REP. SKINDELL: -- 303 and 418 --

18 REP. SEITZ: Will -- will do.

19 REP. SKINDELL: -- because there is a penalty  
20 of election falsification for the treasurer not filing  
21 the -- the certification. So --

22 REP. SEITZ: At -- at what point and time, the

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1 initial certification or only on the contribution of  
2 expenditures?

3 REP. SKINDELL: I -- I think that needs to be  
4 delved into --

5 REP. SEITZ: Yeah.

6 REP. SKINDELL: -- we can -- and we can work  
7 on that --

8 REP. SEITZ: Fair enough.

9 REP. SKINDELL: -- just to point that out.  
10 Just for -- Mr. Chair, just a final question at the  
11 moment so that other members can have the opportunity,  
12 you had talked about the -- the federal prohibition  
13 about nationals -- foreign nationals providing  
14 contributions or expenditures and there's -- there's  
15 been a series of federal court decisions regarding  
16 those prohibitions.

17 I'm kind of curious, is -- how does House Bill  
18 1 differ from the federal laws in any way? Are -- is --  
19 is House Bill -- House Bill 1 more restrictive than the  
20 federal boundaries in your assessment or are they about  
21 equal?

22 REP. SEITZ: Well -- well, Mr. Chairman,

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1 Representative Skindell, we're -- we're trying to  
2 pattern ourselves after existing precedence, both at  
3 the federal level and under the OEC opinion; okay? I'm  
4 not sure we know exactly what all the differences might  
5 be, I guess we can all study it and figure it out, but  
6 ours is much closer to the federal prohibitions than is  
7 the Senate's version and follows that structure and  
8 format to a much greater extent than does the Senate  
9 version.

10 So -- and by the way, the precedent on this is  
11 the Bluman case, B-l-u-m-a-n, which was a three-judge  
12 panel, which is strange in and of itself, but a three-  
13 judge panel and the opinion was written by a now  
14 Justice Kavanaugh at a time when he was still a circuit  
15 court judge. That decision was appealed to the supreme  
16 court and was affirmed without opinion.

17 And so I think we can all look at the Bluman  
18 case as being a pretty sound guidance on what is the  
19 permissible -- permissible extent to which foreign na-  
20 -- foreign nationals may be regulated; okay?

21 And that decision, both on the right and the  
22 left, they all site the same case, Bluman, and, you

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1 know, we've certainly read that case pretty carefully  
2 and are trying to -- trying to stick within the ambit  
3 of that case, which is one of the reasons -- one of the  
4 reasons why even though I might like to ban green card  
5 holders from contributing, because, you know, they  
6 can't vote, the rationale is well, you can't vote, so  
7 why should you be allowed to contribute; okay?

8 The converse is well, green card holders are  
9 lawful permanent residents of the United States and  
10 they can serve in the military. So you know, I might go  
11 along with the idea of banning them from contributing,  
12 but I think the more prudential thing to do is to leave  
13 the definition of foreign nationals as it stands under  
14 federal law, which provides an exception whereby green  
15 card holders are allowed to contribute and that is what  
16 we're doing.

17 REP. SKINDELL: Okay. Thank you.

18 REP. PETERSON: Representative Grim with a  
19 question.

20 MS. GRIM: Thank you, Chair. Thank you so much  
21 for being here. I've got a couple questions for you. So  
22 there's been a bill that's been introduced a couple of

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1 GAs, House Bill 112, right now for the 135th, which  
2 would deal with the -- the issue with foreign  
3 donations, but also dark money.

4 So wouldn't it make more sense to have -- to  
5 have hearings on that bill, because we're -- we're  
6 actually addressing the issue that we need to address  
7 is dark money in our elections?

8 REP. SEITZ: Well, Mr. Chairman, there's two  
9 answers to that. First is under the rules of special  
10 session, we are constrained and confined only to the  
11 issues for which the governor has issued a call for  
12 special session and since those are the only two  
13 issues, Biden on the ballot and foreign money ban, that  
14 is all we may consider in this special session, number  
15 one.

16 So we cannot consider the larger question of  
17 dark money and I'm not familiar, as we stand here  
18 today, with what 112 says. I don't know if -- I don't  
19 even know if we've had hearings on it. I mean, maybe we  
20 have, I don't know, but I guess we'll deal with that in  
21 -- all in good time, as they said on the Wizard of Oz,  
22 all in good time, my pretty, all in good time; right?

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1 REP. PETERSON: Follow-up?

2 MS. GRIM: Sure. Thank you. Yeah. So we're  
3 here for a special session, but this has been around, I  
4 think, for several GAs. It's a -- it's a Miranda-  
5 Sweeney Bill. You know, Miranda's no -- no longer here,  
6 but why haven't we heard anything on that, because  
7 again, it -- it really deals with a larger issue.

8 So I wanted to make that point, but also, we -  
9 - we are talking about foreign donations, but again, we  
10 should really be talking about the dark money in our  
11 campaigns. So the -- the -- this bill claims to be  
12 about election integrity when it comes to who finances  
13 campaigns. So does this ban dark money contributions?

14 REP. PETERSON: So I think we're beyond the  
15 topic of the -- of the -- the bill before us. You're  
16 welcome to respond if you want.

17 REP. SEITZ: Sure. And Mr. Chairman,  
18 Representative Grim, it does if the -- if the dark  
19 money is infected by foreign donations, otherwise not.

20 REP. PETERSON: Follow-up?

21 MS. GRIM: Yeah. So as we mentioned, federal  
22 law already makes contributions to foreign nationals

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1 illegal. So why wouldn't we focus on real campaign  
2 finance reform, which is around dark money and to  
3 support state legis- -- the candidates?

4 REP. SEITZ: Well --

5 MS. GRIM: I'm going to bri- -- I'm going to  
6 keep bringing it up.

7 REP. SEITZ: -- well -- well, Mr. Chairman --  
8 and I'll -- I'll just say asked and answered. We've  
9 already answered that. We're constrained by the call of  
10 special session to deal with only the issues that we're  
11 dealing with.

12 REP. PETERSON: Representative Humphrey.

13 MS. HUMPHREY: Thank you, Mr. Chairman and  
14 thank you, Representative for being here. Real quick, I  
15 want to ask a -- a question with regard to the  
16 emergency clause portion of -- of the bill.

17 One, just want to know why do we need an  
18 emergency clause? And then the other -- the other piece  
19 of it is yeah, why -- what -- what are the reasons that  
20 we would need an emergency clause to the bill, kind of  
21 ties into why did the governor call an -- an emergency  
22 session or committee or however you want to put it for



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1       this specific bill?

2               I can see the other bill. So I guess, my -- my  
3       question is why is the emergency clause portion  
4       necessary?

5               REP. SEITZ: Mr. Chairman, Representative  
6       Humphrey, I will not opine or guess why -- why -- what  
7       the governor's motivations were. I think the governor's  
8       motivations, based on the conversation that I've had  
9       with him and the lieutenant governor and the secretary  
10      of state, is, you know, we'd like the House and Senate  
11      to get on the same page on both of these questions,  
12      because we look a little bit dysfunctional to the  
13      extent we are not on the same page.

14              That's their opinion; okay? And -- and  
15      frankly, I share that opinion. That's why I've been  
16      working so diligently to try to bridge the gap between  
17      the House and Senate versions. The emergency clause as  
18      part of this, as introduced, I will bet my biffy, as  
19      Rowan and Martin [ph] used to say, that we will strip  
20      that out on the next version of the bill, because to  
21      get an emergency clause, you need 66 people out of the  
22      99 of us and I doubt that we'll get that this week.

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1 MS. HUMPHREY: Okay. Thank you,  
2 Representative.

3 REP. PETERSON: Representative Brown with a  
4 question.

5 REP. BROWN: Thank you, Chair. First of all,  
6 Representative Seitz, thank you for bringing us a 21-  
7 page bill instead of a 200-plus-page monstrosity, as  
8 the Senate has, which basically, House Bill 305 was my  
9 bill, a simple bill to deal with electronic filing and  
10 pleadings in court and they turn it into some kind of  
11 Frankenstein's monster, which violates the single  
12 subject rule in about 15 different ways.

13 And you mentioned your concern about that, I  
14 think it's a valid concern. So thank you for bringing  
15 us a rational bill with which we may have some  
16 questions which are a lot more amenable to solving the  
17 issue than the Senate bill. Now, I did have a question.  
18 I was looking at Section W, which is on Page 14 of the  
19 bill, which lists -- it says, no foreign national shall  
20 knowingly do any of the following and it lists 3  
21 things, A, B and C.

22 And my question is with regard to paragraph C,

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1     this is on lines 395 through 397, Page 14, and it says,  
2     no foreign national shall promise, either expressly or  
3     implicitly, to make a contribution, expenditure or  
4     independent expenditure, blah, blah, blah. My question  
5     is I didn't see im- -- implicitly -- or an implicit  
6     promise defined anywhere. Do you have a definition for  
7     what is or what constitutes an implicit promise?

8             REP. SEITZ: Mr. Chairman and Representative  
9     Brown, I do not believe the bill defines implicitly and  
10    since the bill does not define implicitly, we would,  
11    under common rules of Legislative construction, go back  
12    to your Funk & Wagnalls or your Websters or whatever  
13    and find out what the -- or Black's Law Dictionary and  
14    find out what the common ordinary meaning of the term  
15    is. So that's -- that would be my answer on that one.

16            And by the way, I'll just say this too, you're  
17    not very happy with what they did to 305. I might say  
18    Representative Humphrey and I, they -- they took our  
19    114 and -- and put a bunch of stuff in there too with -  
20    - so both of our bills will end up pro- -- probably  
21    hopefully having to go to conference committee to be  
22    restored to their original pure state.

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1 REP. PETERSON: Follow-up.

2 REP. BROWN: Do you believe that the phrase  
3 implicit promise is something that could end up in  
4 litigation with some arguing that it is either overly  
5 broad or vague?

6 REP. SEITZ: Mr. Chairman and Representative  
7 Brown, that is certainly a possibility, you know, and I  
8 do not -- I don't want to get off topic, but you -- you  
9 could go back to the Speaker Householder trial and it  
10 was pretty clear that there was no expressed quid pro  
11 quo there, but the jury found and the government argued  
12 that well, there was a wink and a nod and a -- and a --  
13 and an implicit agreement of some kind or the  
14 Sittenfeld trial in Cincinnati, Ohio, which  
15 Representative Isaacsohn and -- and I are familiar with  
16 where again, it wasn't entirely clear at all and the  
17 Sixth Circuit now is kind of agreeing with Sittenfeld  
18 that you don't have expressed quid pro quo for -- for --  
19 -- to put the man in jail, but the -- the jury found in  
20 that case that there was some sort of, you know,  
21 implicit wink, wink, nod, nod deal and -- and convicted  
22 on that basis.

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1                   So yes, it could end up in litigation. It has  
2 ended up in litigation in the context of campaign  
3 finance and bribery laws in recent examples, both  
4 involving Councilman Sittenfeld and Speaker  
5 Householder.

6                   REP. BROWN: Follow-up, Chair.

7                   REP. PETERSON: Continue.

8                   REP. BROWN: Thank you. With regard to the  
9 portion of the bill that deals with the attorney  
10 general matter --

11                  REP. SEITZ: Yes.

12                  REP. BROWN: -- in the -- this is on Page 18  
13 and -- and 19 of the bill, the case of the failure to  
14 comply with or violation of law involving this issue,  
15 it says, the commission shall refer -- the -- the Ohio  
16 Elections Commission shall refer the matter to the  
17 attorney general except that if the attorney general's  
18 victim or witness or otherwise involved in the matter,  
19 then the commission shall refer to a county prosecutor.

20                  So my first question with regard to this  
21 particular issue is what was the rationale between  
22 taking power away from county prosecutors and giving it

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1 to the attorney general in this situation?

2 REP. SEITZ: Mr. Chairman and -- and  
3 Representative Brown, the language that you see before  
4 you is narrower than the Senate version on this topic,  
5 because the Senate version would have given the  
6 attorney general the power to investigate and prosecute  
7 any violation of the election finance laws.

8 And the Prosecuting Attorneys Association  
9 called me last Friday probably, Saturday, I don't know,  
10 and said, we don't like that, we -- we -- we want to  
11 retain our jurisdiction over the campaign finance laws  
12 that we currently have, but we have no problem with  
13 giving the attorney general jurisdiction over this  
14 foreign money issue and that's what Lou Tobin told me  
15 last week.

16 So that's what this -- that's what this  
17 language says; okay? They will continue to have their  
18 jurisdiction over everything else, but I think because  
19 of the intricacies of foreign money and tracing foreign  
20 money and all of that, that maybe the attorney general  
21 and his vast army of -- of lawyers is probably maybe  
22 better equipped than a local county prosecutor to get

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1 to the bottom of -- of those questions.

2 So I think that is the rationale. And again,  
3 our bill is narrower than the Senate bill on this same  
4 subject.

5 REP. BROWN: I -- I definitely --

6 REP. PETERSON: Follow-up?

7 REP. BROWN: Follow-up. I can see that, ab- --  
8 absolutely, more narrow. The -- the other part of that  
9 is the attorney general gets the shall -- the  
10 commission shall refer to the attorney general unless  
11 the attorney general is a victim or a witness or  
12 "otherwise involved in the matter." Who makes the  
13 determination as to whether or not the attorney  
14 general, in any particular cir- -- circumstance, is  
15 otherwise involved in the matter?

16 REP. SEITZ: Mr. Chairman and Representative  
17 Brown, I would assume that would be the attorney  
18 general for following his normal rules of when he's  
19 conflicted out. I mean, this happens with the attorney  
20 general not infrequently where he's got two different  
21 state agencies that are arguing at loggerheads with one  
22 another and he ends up saying, well, I can't really get

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1 involved in representing either one of you.

2 So I would assume that to be the case. You  
3 know, if -- if you want to add as determined by  
4 somebody, I'm open to that.

5 REP. BROWN: Okay. I -- I appreciate that.

6 REP. PETERSON: If you --

7 REP. BROWN: I was just curious as to what the  
8 thought process was. So at this point, the way you  
9 understand it is it's up to the AG to essentially  
10 police himself or herself?

11 REP. SEITZ: I -- I -- I -- Mr. Chairman, I  
12 believe that to be correct.

13 REP. BROWN: All right. No question -- no  
14 further at this time. Thank you.

15 REP. PETERSON: All right. I -- I do have a  
16 quick question and I know you hit -- you talked about  
17 it in your testimony, but could you re-explain -- you  
18 believe that this -- under existing law, you believe  
19 that foreign nationals aren't legally allowed to  
20 contribute currently, but that this would be  
21 strengthening that law. Could you walk through that one  
22 more time, please?



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1 REP. SEITZ: Sure. Sure. And Mr. Chairman,  
2 yes, let's -- let's walk through it again. The Ohio  
3 Elections Commission issued an opinion in 2021 that  
4 they thought the existing 3517., I think, 13 was  
5 sufficiently broad to encompass contributions to  
6 statewide ballot campaigns. That was their opinion.

7 The commission could change their opinion. The  
8 comm- -- the opinion was never challenged in court but  
9 could be. And so enshrining that opinion or the  
10 premises of that opinion in statute strengthens the  
11 opinion that they reached, number one.

12 Number two, there is a federal prohibition on  
13 this subject, we acknowledge that, that does extend to  
14 ballot issues as well as to campaign candidate  
15 committees, but there is a question as to whether  
16 federal law could be applied jurisdictionally over  
17 state and local elections that didn't involve a federal  
18 question; okay?

19 Just like in the example that I gave was, the  
20 ban on non-citizen voting, that's a federal law too,  
21 but we put belt and suspenders on that a couple years  
22 ago when we passed that same principle into our

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1 Constitution to make it applicable to state and local  
2 elections, same theory.

3 REP. PETERSON: Thank you. And then  
4 Representative Isaacsohn with a question.

5 REP. ISAACSOHN: Thank you, Chair. And I -- I  
6 just want to sort of summarize what we just heard in  
7 one of -- some of the things, Representative Seitz,  
8 you've said already to make sure I have it right, but  
9 basically, this is already against the law from -- as  
10 per federal law. OEC has already found that this is  
11 against the law here in Ohio.

12 So this is al- -- having foreign nationals  
13 contribute to campaigns is already against the law per  
14 the Ohio Elections Commission and federal law, as  
15 you've described, which makes this fundamentally  
16 political the fact that we are having this hearing and  
17 that this bill has been introduced and it's political  
18 in two ways.

19 One, we already talked about, which is the  
20 fact that both -- some of your colleagues and the  
21 Senate president have said there's a price to be paid  
22 to get the president on the ballot, but it's also

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1 political -- and this is -- you said, you're not them,  
2 you're you, so I'll just refer to something you said a  
3 few days ago, which is that this is about people --  
4 particularly, people in the majority party who don't  
5 want to face primaries for ha- -- from the ideological  
6 right wing for having voted to put President Biden on  
7 the ballot.

8 And so they need a counter balance. So it's  
9 political in that way, but it's also political, as  
10 we've just heard, in that this bill is going to use  
11 that red herring of preventing something that's already  
12 prevented by federal law in order to hinder ballot  
13 initiatives, like the ones we saw last year.

14 And so my question to you is how do you think  
15 it's most likely to hinder those ballot initiatives?

16 REP. SEITZ: Mr. Chair and -- and  
17 Representative Isaacsohn, I completely dispute your  
18 premise. I've explained this to -- first, in my  
19 testimony, then again to Representative Peterson, the  
20 fact that it might be an opinion of the OEC that it's  
21 against the law or that federal law says it's against  
22 federal law does not mean it is against the law

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1       statutorily in the state of Ohio.

2               So this is not an exercise in politics. This  
3       is an exercise perhaps in belt and suspenders, but it  
4       is not an exercise in politics. Yes, there was a point  
5       in time a couple weeks ago when we thought well, maybe  
6       if we put the Biden question into a bill with the  
7       foreign money question, people could overcome their  
8       qualms, some of them, about putting -- doing anything  
9       that would be perceived as helping a Democrat.

10              That's what -- we tried that gambit, as you  
11       recall, and we didn't do it and it turns out it wasn't  
12       a bad thing that we didn't do it, because it allowed us  
13       to work collaboratively with the groups that I  
14       mentioned before to resolve their questions about the  
15       breadth of House Bill 114's fix; okay?

16              So you know, I -- I mean, how many times do I  
17       have to say it that -- that we're doing this, because  
18       it is not entirely clear that it is against the law in  
19       Ohio for foreign nationals to contribute to ballot  
20       campaigns. Now, I think when you read this bill, this  
21       doesn't have a damn thing to do with ballot initiatives  
22       that are not infected by foreign money.

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1           So if you want to have your ballot initiatives  
2     for God knows what -- God knows what the voters will be  
3     asked to pass upon in the future without benefit of  
4     being adequately informed of -- on the subject matter,  
5     but you're still going to be completely free to do that  
6     as long as you don't have a bunch of foreign money  
7     providing you with an illegal boost to your efforts.

8           REP. ISAACSOHN: Well, on that point, Chair --

9           REP. PETERSON: Continue on the subject of the  
10    bill, please.

11          REP. ISAACSOHN: I'll -- I'll cont- -- will  
12    continue that thought ex- -- exactly. I want to spell  
13    that out a little bit as to what the bill says, because  
14    you're talking about the infection of foreign money and  
15    protecting election integrity.

16          So let's say you're a PhD student studying at  
17    Ohio State from Cambridge University in England, the  
18    type of talent that we certainly want to keep here when  
19    they finish their PhD, but you are considered a foreign  
20    national student studying here, you hear about this  
21    unbelievable to you fact that Ohio is trying to keep  
22    women from getting abortions when it's medically

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1 necessary, so you decide you want to go to a rally  
2 about issue one, you buy a poster for \$10, you make  
3 your sign and you're there protesting to defend  
4 reproductive rights, would you be subject to the line  
5 that says -- describing someone who makes an  
6 expenditure or an independent expenditure in support of  
7 or opposition to any statewide ballot initiative for  
8 that \$10 expenditure, are they subject to a \$10,000  
9 fine?

10 REP. SEITZ: Mr. Chairman, Representative  
11 Isaacsohn, no, that's -- we're talking about  
12 contributions in connection with a ballot pack. What  
13 people do on their own time with their own money as an  
14 individual is unaffected.

15 REP. ISAACSOHN: Sorry, point of  
16 clarification, Chair.

17 REP. PETERSON: Continue.

18 REP. ISAACSOHN: Okay. So in support or  
19 opposition to any statewide ballot issue or question is  
20 not really what you -- that's not what you mean,  
21 though?

22 REP. SEITZ: Mr. Chairman, Representative

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1 Isaacsohn, please read the whole bill and we can talk  
2 offline about your going down a rathole that is not  
3 there.

4 REP. PETERSON: Representative Humphrey with a  
5 question.

6 MS. HUMPHREY: Thank you, Mr. Chairman and  
7 thank you, Representative for your responses. Quick  
8 question about foreign money possibly impacting ballot  
9 initiatives, from what I have read, there are no real  
10 clear -- or credible evidence that foreign really does  
11 affect ballot initiatives, but I wanted to ask you,  
12 because I know that you are knowledgeable in this  
13 space.

14 So I wanted to ask you do you know of for-sure  
15 certain situations -- circumstances where foreign money  
16 has specifically affected ballot initiatives?

17 REP. SEITZ: Sure. Mr. Chairman,  
18 Representative Humphrey, the 1630 Fund is a  
19 corporation, it is also a C4 and it -- it has received  
20 millions of dollars from a foreign national or maybe  
21 more than one foreign national. It played very heavily  
22 in the -- in the issue one last year. It's playing very

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1 heavily in the Mar- -- you know, O'Connor initiative  
2 this year.

3 And so yes, foreign -- now, did it -- was it  
4 the determining factor in the vote? I don't know, but,  
5 you know, people raise money and spend money on a  
6 campaign hoping to influence the outcome. Why else  
7 would you do it? So when you look at the history of the  
8 1630 Fund and when you look at who's paying into the  
9 1630 Fund and it's some guy from Switzerland named Hans  
10 George somebody, okay, that's what we want to stop.

11 And it could -- you know, just because it's  
12 him today, some Swiss guy, okay, it could be Chairman  
13 Z. tomorrow coming out of China, it could be Vladimir  
14 Putin spending money to defeat Joe Biden to get his  
15 friend Trump elected; okay? It could be anybody. The  
16 world is a dangerous place.

17 There's a lot of bad people out there. The  
18 United States is the number one economy in the world,  
19 we are a ripe target for foreign interference and we  
20 want to be as assiduous as we can to prevent that  
21 foreign interference from clouding the judgment of Ohio  
22 and United States' voters.



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1 REP. PETERSON: Follow-up?

2 MS. HUMPHREY: So thank you, Mr. -- Mr.  
3 Chairman. So essentially, I just want to -- just want  
4 to ask this question real quick just so I have clarify,  
5 so do you believe that this piece that -- that -- that  
6 the -- the governor wants to bring up with regard to  
7 foreign -- foreign money, do you believe that it is  
8 directly tied and applies to the citizens, not  
9 politicians, ballot amendment? So do you feel like  
10 we're doing that with regard to this upcoming ballot  
11 amendment?

12 REP. SEITZ: Mr. Chairman, Representative  
13 Humphrey, it deals with every single ballot amend- --  
14 ballot initiative hereafter. It deals with that, it  
15 deals with the one to jack up the minimum wage to  
16 ridiculous levels, it deals with the [Inaudible]  
17 underway to remove qualified immunity from police  
18 officers and God knows what they're going to think of  
19 for next year or the year after that.

20 It is not targeted at any one ballot  
21 initiative, it is ubiquitously effective as to all  
22 future ballot initiatives.

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1 REP. PETERSON: And we -- I have a quick  
2 question, we -- we have had a great discussion and  
3 we'll get to some more here in a minute. We've had a  
4 great discussion about the Constitutional law and  
5 Constitutional amendments. Can I -- is it fair to  
6 simply say that all of us as candidates are not allowed  
7 to take foreign money to our campaigns? And this would  
8 just be putting that same law --

9 REP. SEITZ: Yeah.

10 REP. PETERSON: -- in place for ballot  
11 initiatives.

12 REP. SEITZ: Yeah. Yes.

13 REP. PETERSON: Is that true?

14 REP. SEITZ: Mr. Chairman, that's exactly  
15 right. That's exactly right.

16 REP. PETERSON: Thank you. Representative  
17 Skindell, some more -- some more lawyer talk I expect  
18 to note.

19 REP. SKINDELL: Thank you, Mr. Chair. And Mr.  
20 Chair, your -- your pri- -- prior question there kind  
21 of leads into my question, that same section that the  
22 chairman was referencing, which falls under 3517.13 and

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1 in the bill, those that have it easily accessible and  
2 wants to look at it, it's at line -- li- -- at line  
3 1146.

4 There's a -- a change in there that I'm  
5 curious about, I -- I know that over the years working  
6 with you, particularly in criminal law, you've always  
7 made sure that you've placed the mens rea in this in  
8 criminal law.

9 The -- there's a mens rea that is now being  
10 inserted in this and it basically says, no candidate,  
11 campaign committee, etc. shall, and you're adding  
12 knowingly solicit or accept a contribution,  
13 expenditure, independent expenditure from a foreign  
14 national. Could you explain why it's necessary to put  
15 that mens rea in that provision of law?

16 REP. SEITZ: Sure. Mr. Chairman,  
17 Representative Skindell, it narrows the scope of the  
18 law. That's -- that's what we're trying to do, to make  
19 sure that things are -- that you're not being unduly  
20 pen- -- penalized for inadvertent -- inadvertent  
21 mistakes.

22 REP. PETERSON: Follow-up.

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1 REP. SKINDELL: Mr. Chair, is that mens rea in  
2 there going to the mental state of receiving the  
3 contribution or also receiving the contribution also  
4 knowing that it's coming from a foreign national?

5 REP. SEITZ: What -- what line number are you  
6 in?

7 REP. SKINDELL: This is line 1149.

8 REP. SEITZ: I don't see line 1149. My -- my  
9 version of this 21-page bill ends at 604.

10 REP. SKINDELL: This is dash 2 of House --

11 REP. SEITZ: Well, hold on, I don't know, I'm  
12 -- I'm -- I'm looking at the bill that was given to me  
13 and it's 21 pages long.

14 REP. SKINDELL: Oh, this is -- I -- my  
15 understanding is there's a dash 3 and I -- we don't  
16 have it up on our iPads the last I looked and this is a  
17 dash 2. I'll take a look at that --

18 REP. SEITZ: Right.

19 REP. SKINDELL: -- and -- and address it to  
20 you offline when I get the appropriate bill.

21 REP. PETERSON: Thank you. And I will -- I  
22 will add for the committee and everyone else, you know,

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1 certainly, I have a great appreciation for the -- the  
2 staffs on both sides of the -- the House and the  
3 Senate, the Democrats, Republicans that have a little  
4 bit of their week- -- weekend got lost and I certainly  
5 want to recognize them and appreciate the work that  
6 they've done over the last few days.

7 And while I'm at it, I want to specifically  
8 thank Riley Eberhart, my staff that has put together  
9 this committee and we -- we are putting things up as  
10 quickly as we can and certainly will -- and along with  
11 that announcement, as you're checking your emails,  
12 you'll find in your inbox that we have committee again  
13 tomorrow at 11:00 o'clock and we will be -- have  
14 everything in front of you and we'll be on the same  
15 versions of the bill if we are not at this moment. So  
16 are there other questions? Representative Grim.

17 MS. GRIM: Thank you, Chair. So among the  
18 problems with this bill is the power it gives the  
19 attorney general to investigate and limits ballot  
20 initiatives as a statewide politician. So AG Yost is  
21 often sued by ballot initiative efforts as himself been  
22 named being a hindrance to the repeal efforts for House

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1 Bill 6 and federal trials. Are you worried about the  
2 clear conflicts of interest this bill presents for the  
3 AG?

4 REP. PETERSON: So you've addressed this  
5 issue, you -- you may respond again.

6 REP. SEITZ: Yeah. Sure. Mr. Chairman,  
7 Representative Grim, this does not deal with ballot  
8 initiatives, this deals with foreign money.

9 There is no conflict in giving the attorney  
10 general the authority to investigate and prosecute  
11 violations of foreign money infecting any committee,  
12 candidate committee, ballot committee, initiative  
13 committee, referendum committee at the state level, no  
14 conflict whatsoever.

15 REP. PETERSON: Follow-up? Representative  
16 Brown with a question.

17 REP. BROWN: Thank you, Chair. The bill in  
18 question is to modify the campaign finance law  
19 regarding foreign nations and statewide initiatives and  
20 referenda. In that regard, some people say that -- that  
21 the bill would have a chilling effect on the work of  
22 the committees in charge of ballot initiatives and

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1       referenda and the ability of these committees to get  
2       citizen-led petit- -- petitions on the ballot. Do you  
3       agree or disagree with that position?

4               REP. SEITZ: Well, Mr. Chairman,  
5       Representative Brown, I think it's been evident from  
6       what I've said that I would disagree with that, it has  
7       no impact on that, except and to the extent that you  
8       are taking foreign money.

9               REP. BROWN: Follow-up, Chair?

10              REP. PETERSON: Continue.

11              REP. BROWN: You know, I'm just a small-town  
12       lawyer from Little Oak and Canal Winchester, but some  
13       people are saying that this bill will be quickly  
14       litigated and deemed unconstitutional infringement on  
15       the free speech rights of ballot committees given how  
16       ballot committees are treated with reverence under  
17       federal law. Do you agree or disagree with that  
18       position?

19              REP. SEITZ: Mr. Chairman and Representative  
20       Brown, I disagree with that position, because the  
21       Bluman case involved a ballot committee and the supreme  
22       court ultimately affirmed the decision of the three-

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1 judge panel, that indeed we did have the power to  
2 regulate that because the -- because of the state's  
3 interest in greater jurisdiction over foreign nationals  
4 and that is entirely consistent with the opening  
5 remarks that I gave where I quoted Laurence Tribe.

6 Now, he's not a small-town lawyer from Canal  
7 Winchester, he's a big-time liberal lawyer from  
8 Harvard, but that's what he thought.

9 REP. PETERSON: Representative Skindell with a  
10 question.

11 REP. SKINDELL: Thank you, Mr. Chair.  
12 Representative Seitz, with multiple versions of the  
13 bill floating around, actually, the filed House Bill 1  
14 has now shown up on the iPads and on the -- on that  
15 bill, if you could refer to line 401 and 402, and this  
16 is back to my discussion with you about the -- the mens  
17 rea, the knowingly, and where -- for a -- a candidate  
18 or a campaign committee knowingly solicit or accept a  
19 contribution or expenditure from a foreign national.

20 My question to you, does that knowingly go to  
21 just the acceptor solicit, meaning that if they don't  
22 know who -- that it's coming from a foreign national



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1 but accept the contribution unknowing that it's coming  
2 from a foreign national, that they could be prosecuted  
3 or does it also have to -- you know that you're  
4 accepting a contribution and that you know it's coming  
5 from a -- a -- a foreign national?

6 REP. SEITZ: Well, again, Mr. Chairman,  
7 Representative Skindell, I believe knowingly modifies  
8 solicit or accept a contribution, expenditure or  
9 independent expenditure from a foreign national. So I  
10 don't know why we'd need to put knowingly in there  
11 twice.

12 REP. SKINDELL: Well --

13 REP. PETERSON: Follow-up?

14 REP. SKINDELL: Thank you, Mr. Chair, because  
15 sometimes courts come up with some strange  
16 interpretations.

17 REP. SEITZ: [Inaudible]

18 REP. PETERSON: Okay. Other questions?  
19 Representative Isaacsohn.

20 REP. ISAACSOHN: This will be a quick. Rep- --  
21 does -- I also want to show you I've read the bill, but  
22 -- because that was -- you weren't sure before, but I -

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1 - I can assure you I have multiple times. But my  
2 question is you brought -- you have reference the  
3 Professor Tribe letter a number of times.

4 Does this bill do what Professor Tribe is  
5 saying, which is that if a corporation is largely owned  
6 by foreign investors, they would not be able to invest  
7 in either candidate or issue campaigns here in Ohio?

8 REP. SEITZ: Well, the -- Mr. Chairman and --  
9 and Representative Isaacsohn, that was part of the  
10 original Senate Bill 215 where it was requiring these  
11 corporations to have segregated funds to the extent  
12 they derive foreign revenues. That was all taken out by  
13 the time we got to 114; okay?

14 So I don't think it does, but -- but it --  
15 what -- what Tribe is saying is corporations under  
16 Citizens United have certain rights and in his view,  
17 those rights may be trumped when we are dealing with  
18 foreign nationals. That was the thrust of his -- of his  
19 letter. So to that extent, I agree with him.

20 REP. PETERSON: Other questions for the  
21 witness? Oh, Representative Grim.

22 MS. GRIM: Thank you, Chair. I have one more

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1 question. So I want to go back to what Representative  
2 Skindell was talking about, about knowingly soliciting  
3 money from foreign nationals. So would that -- so I  
4 believe maybe the Catholic Conference gets money from  
5 the Vatican. So would that affect Vatican money?

6 REP. SEITZ: Mr. Chairman and Representative  
7 Grim --

8 REP. PETERSON: You may respond.

9 REP. SEITZ: -- I don't know where the  
10 Catholic Conference gets its money and I doubt that it  
11 comes from the Vatican, but I just don't know.

12 REP. PETERSON: Seeing -- almost -- almost.  
13 Representative Isaacsohn with another question.

14 REP. ISAACSOHN: Well, sorry, the que- -- this  
15 --

16 REP. SEITZ: This is getting a little  
17 ridiculous, Mr. Chairman.

18 REP. ISAACSOHN: -- the -- the -- well,  
19 agreed.

20 REP. PETERSON: You may ask the question --

21 REP. ISAACSOHN: The question --

22 REP. PETERSON: -- on the bill.

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1 REP. ISAACSOHN: -- that Representative Grim  
2 asked was if the money came from the Vatican or if  
3 someone was in the church who was a foreign national  
4 and knowingly gave the money, would they be subject to  
5 investigation and ultimately prosecution under this  
6 bill, not whether it happens, but if that happened --

7 REP. SEITZ: Remember, Member -- M- --

8 REP. ISAACSOHN: -- would -- would this bill  
9 apply to them.

10 REP. SEITZ: -- Mr. Chairman --

11 REP. PETERSON: You've addressed it.

12 REP. SEITZ: -- I'm not going to speculate on  
13 -- on hypotheticals, number one. Number two, I can tell  
14 you that the Catholic Conference was fine with either  
15 the language in 305 or with the language here. So if  
16 they were worried about it, we would not be hearing  
17 that they're fine.

18 REP. PETERSON: Seeing no further questions,  
19 we'll move onto the other item on our agenda, House  
20 Bill 2.

21

22

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 51 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio House Government Oversight Committee - 5-  
28-2024 - Special Session)

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<b>A</b>	<b>actual</b>	<b>ago</b>	<b>also</b>
<b>ab</b>	17:13	4:10, 16:13,	3:1, 4:17, 6:8,
30:7	<b>actually</b>	32:22, 34:3,	12:6, 15:8,
<b>ability</b>	13:3, 17:14,	35:5	21:3, 22:8,
46:1, 52:3	21:6, 47:13	<b>agree</b>	33:22, 34:9,
<b>able</b>	<b>add</b>	46:3, 46:17,	38:19, 43:3,
49:6	31:3, 43:22	49:19	48:3, 48:21
<b>abortions</b>	<b>adding</b>	<b>agreed</b>	<b>always</b>
36:22	42:11	50:19	12:10, 42:6
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# **Exhibit J**



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# Transcript of Testimony of Ohio House Government Oversight Committee - Special Session 052924

**Date:** May 29, 2024

**Case:** 2024 Ohio Campaign Finance Litigation

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TRANSCRIPT OF VIDEO-RECORDED

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TESTIMONY OF THE

8

OHIO HOUSE GOVERNMENT OVERSIGHT COMMITTEE

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MAY 29, 2024

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SPECIAL SESSION

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Job No.: 540606

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Transcribed by: Christian Naaden

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P R O C E E D I N G S

REP. PETERSON: We have two bills before us today. House Bill 1 for first hearing. We have several people presenting in person testimony and there's extensive written testimony. Our first presenter today is Dr. Authur Lavin. Dr. Lavin, thank you for joining us today. We look forward to your testimony.

DR. LAVIN: Thank you, Sir. Chairman Peterson, Vice Chair Thomas, Ranking Member Humphrey, members of the Government Oversight Committee, thank you for the opportunity to write opponent testimony today on House Bill 1.

My name is Dr. Authur Lavin. I'm a retired pediatrician and head a group of 400 physicians in Greater Cleveland who are devoted to the just provision of healthcare. I got involved in this issue some time ago because as a doctor, and representing a group of 400 doctors, we were concerned that laws passed by this general assembly and supported by this administration put the lives of the patients we care for at risk.

And so, we organized to help citizens have a voice in this question. And that led, of course, to the

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1 well-known event of Issue One last year. This  
2 represents over a 100-year tradition, over a century  
3 tradition in the State of Ohio that is highly valued  
4 and cherished over the years.

5 And we, as a group of physicians, were  
6 dismayed to see attempts made last year over and again  
7 to stifle the voice of the people to somehow inhibit  
8 the process of a system led ballot initiative.

9 The people's voice was heard, and resoundingly  
10 so. Large majorities came out and said we wanted to  
11 vote at a 50 percent majority and a large majority came  
12 out and supported the amendment of the constitution.

13 I'm here today because I've heard recently  
14 that bills have come to the floor, in particular this  
15 one, House Bill 1 that would, once again, try to impede  
16 the voice of the citizen in protecting their ability to  
17 speak in the process of a ballot initiative.

18 And I'm concerned as a physician that, once  
19 again, we will face a general assembly that will put  
20 lives at risk with legislation that could do that. And  
21 if the people's voice is inhibited from protecting  
22 their own lives, that's something I think every doctor

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1 should be concerned about. And that's why we're here.

2 We're concerned about House Bill 1 for three  
3 particular reasons. The first is that it requires that  
4 people who sign a petition for ballot initiatives in  
5 the future disclose their signature publicly.

6 And we know today the risk that citizens have  
7 in disclosing their activities publicly. I think  
8 there's no doubt in my mind this would have a chilling  
9 effect on people signing petitions, participating in  
10 the democratic, small d, process.

11 The second is an increase in financial  
12 liability for participating. I lead a group of 400  
13 doctors. I actually don't know the nationality of each  
14 of these physicians. I don't know the nationality of  
15 their spouses. Many of them contribute to ballot  
16 initiative efforts.

17 I don't like the idea of myself being  
18 financially liable or any of my members of my  
19 organization or other citizens of Ohio facing financial  
20 liability if it happens that someone they're connected  
21 with isn't a U.S. citizen.

22 Again, I see the threat being addressed by the



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1 bill, having to do with undue influence from foreign  
2 nations but I think an unintended consequence that is  
3 significant would be chilling the ability of people who  
4 are here legally, with a green card let's say,  
5 participating in the democratic process by facing  
6 financial liability that would be created by this law.

7 And the third point is that the bill elevates  
8 the level of investigation for questions about  
9 participating in the democratic process, this cherished  
10 process, of the ballot initiative that we -- we love in  
11 the State of Ohio.

12 It elevates investigation to the level of the  
13 Ohio Attorney General as opposed to a -- a local  
14 investigation. So, in summary, the Doctors of Northeast  
15 Ohio have their eyes open to the actions of you, our  
16 representatives, the Ohio General Assembly and here at  
17 the House of Representatives.

18 And we're concerned about an actual intent,  
19 perhaps, being part of this effort with House Bill 1 to  
20 silence or dampen the voice of the citizen.

21 The citizens, though, are watching and as many  
22 of their doctors, we appear in testimony before this

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1 important committee of the Ohio House of  
2 Representatives, to call on this crucial bastion of  
3 democracy, this Ohio House, to reject all attempts to  
4 silence the voice of its citizens and the core of the  
5 purpose of democracy. Thank you.

6 REP. PETERSON: Thank you for your testimony.  
7 Are there questions for the witness?

8 DR. LAVIN: Thank you.

9 REP. PETERSON: Representative Isaacsohn.

10 REP. ISAACSOHN: Thank you, Chair. Thank you  
11 so much doctor for being here today and for all of your  
12 advocacy on behalf of your fellow citizens of the  
13 state. I want to start with, do you have a sense that  
14 it's clear what this bill would do or -- or how it  
15 would impact the members of your organization?

16 Do you have a sense that it's very obvious and  
17 clear what the punishments would be? What the nature of  
18 the investigations would be? Or is it confusing at all?

19 DR. LAVIN: I would -- it's completely  
20 unclear. First of all, it's happening very rapidly. I  
21 don't think most of our members have had a chance to  
22 read the proposed legislation. And when I do read it,

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1 it's not clear at all what my liability would be if I  
2 continue to participate in our democracy.

3 REP. PETERSON: Continue.

4 REP. ISAACSOHN: Thank you. That's -- that's  
5 what it sounded like from your testimony. So, I want to  
6 dive into some of the ways in which that lack of  
7 clarity could impact the members of your organization.

8 So, for example, let's say there's a member of  
9 the organization, a doctor, who wants to get involved  
10 politically but, you know, not but, but they have a  
11 spouse who is a foreign national who is not a citizen  
12 of the United States, cannot contribute to political  
13 campaigns.

14 They have a co-mingled account but the  
15 physician in question wants to participate, wants to  
16 make their voice heard politically with your group. Do  
17 you think this bill is clear to them what would be  
18 limited and how they might be investigated and what  
19 they'd be liable for?

20 DR. LAVIN: I suppose I should say, through  
21 the Chair to the representative, no, it's not clear at  
22 all. I think -- I mean, let's face it, doctors aren't

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1 politicians. We're not involved in the legal process at  
2 all.

3 When we hear that there's going to be  
4 liability for some types of participation, and the  
5 types aren't carefully delineated, that frightens  
6 people. People are getting scared enough as it is to  
7 speak up. This only -- this bill, I think, only  
8 heightens that sense of fear.

9 And the fact that it's not clear is a -- is a  
10 very powerful tool to scare people from participating.

11 REP. PETERSON: Continue.

12 REP. ISAACSOHN: So, given the -- the  
13 uncertainty, the fear, the confusion you're describing,  
14 looking both back at the political activity that has  
15 taken place in your group and looking forward to any  
16 future political activity, do you think this bill, as  
17 drafted, would hinder political activity?

18 Would make people less likely to have  
19 participated in the past or participate in the future,  
20 given the fear and uncertainty?

21 DR. LAVIN: So again, through the Chair to the  
22 representative, I'm deeply concerned about that. I'm

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1 glad you asked that question, Representative Isaacsohn.  
2 The -- I -- I feel it myself and I'm very involved. I'm  
3 head of the organization. And I'm here. So, I'm not  
4 frightened to participate, obviously.

5 But this bill frightens me because there are  
6 hidden liabilities. Hidden liabilities always cause  
7 fear. When we grant the state power to hurt a citizen  
8 and -- and those powers aren't well known by the  
9 citizen, then a citizen like me and the doctors in my  
10 group will be frightened, more frightened to  
11 participate.

12 And I actually have a concern about whether  
13 that's one of the not so unintended consequences  
14 because of the actions taken by the government, by the  
15 state of Ohio, last year, which clearly organized to  
16 try to decrease the power of the citizen's voice.

17 So, we saw that intent in clear light last  
18 year. I'm not sure why we wouldn't be concerned that  
19 similar motives might be operating here on House Bill  
20 1.

21 REP. PETERSON: Representative Skindell with a  
22 question.

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1 REP. SKINDELL: Thank you, Mr. Chair. Thank  
2 you doctor for your testimony today. I don't know if in  
3 the -- the issues that you've dealt with -- the ballot  
4 issues that you've dealt with if there's been campaign  
5 violations that gone before the elections commission.

6 And normally under today's procedure, without  
7 any changes of the law that we see here, the campaign  
8 commission would work with the -- the -- the committee  
9 to try to resolve any issues.

10 And sometimes just the -- there's no referral  
11 to any prosecutor. There' s just sometimes they work  
12 out the issue or the commission may impose a small fine  
13 or something like that. Have you had any of those  
14 dealings with the commission?

15 DR. LAVIN: Through the Chair to the  
16 Representative, no, Sir.

17 REP. SKINDELL: Okay.

18 DR. LAVIN: The -- yeah, no. In fact, we've  
19 never actually anticipated any such interventions.  
20 Everything we do is pretty simple and straightforward  
21 in terms of contributions and participation in the  
22 democracy.

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1                   We've never really had to think about  
2                   violating those things. Hasn't come up as something  
3                   we're worried about. And it's never happened.

4                   REP. PETERSON: Follow up?

5                   REP. SKINDELL: Okay. Not at this time. Thank  
6                   you, Mr. Chair.

7                   REP. PETERSON: Other questions for the  
8                   witness? Chair has one quick question. So, yesterday in  
9                   committee when the sponsor was here, a lot of these  
10                  points that you talked about were discussed yesterday  
11                  with the sponsor. He recognized that, you know, those  
12                  issues are being worked on.

13                  Would your organization have a problem with a  
14                  bill that very simply said, you know, no foreign money,  
15                  matching the law that all of us, you know, as  
16                  candidates can't take foreign money. If it was -- if it  
17                  was simply ballot initiatives matching that, would your  
18                  organization have a concern with it?

19                  DR. LAVIN: I'd have to take a look at the  
20                  specific language. You know, as we all know --

21                  REP. PETERSON: Sure.

22                  DR. LAVIN: From years in -- in living under

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1 the law, devil is in the detail. So, I wouldn't be able  
2 to comment on a bill that hasn't been drafted yet.

3 REP. PETERSON: But the concept -- the concept  
4 simply matching ballot initiative language to the laws  
5 that we're under -- that we operate under that have  
6 been in existence for years, would that be a -- the  
7 concept. Does the organization have a problem with it?

8 DR. LAVIN: Well, I think the phrase that  
9 catches me is foreign money. So, as a physician, I'm  
10 not really in a position to say what that means. I'd be  
11 relying on you all to tell me what it means. But  
12 depending on what it means, I'd have a different  
13 response.

14 REP. PETERSON: Okay. Thank you. Appreciate  
15 you traveling down today. Oh, I'm sorry. Representative  
16 Brown has a question.

17 REP. BROWN: Thank you, Chair and thank you  
18 doctor for your testimony here today. In your written  
19 testimony you indicate that it is obvious, you say,  
20 that the bill is not intended to respond to possible  
21 interference from Russia, China or Iran.

22 If they were, they would block their



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1 interference in all ballot initiatives, including those  
2 initiated by Ohio's General Assembly. So, you -- you  
3 make a distinction between ballot initiatives, which  
4 are created by citizen led petitions versus those  
5 emanating from the -- from the General Assembly.  
6 Correct.

7 And this bill doesn't deal with ballot  
8 initiatives coming from the General Assembly. Is that  
9 Correct?

10 DR. LAVIN: So, through the Chair to the  
11 Representative -- I should have said through the Chair,  
12 initially --

13 REP. PETERSON: You're doing great.

14 DR. LAVIN: So, what I was getting at in the  
15 written testimony was that the bill raises the question  
16 about threats of interference from other nations, is  
17 the way it seems one of the intents of the bill is.

18 But as I understand the way the bill is  
19 currently drafted, it would touch on people who have  
20 nothing to do with foreign governments' activities. So,  
21 you could have a doctor married as the Representative  
22 Isaacsohn referred to, married to a foreign citizen,

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1 has a green card, here legally.

2 The bill might make it illegal for them to --  
3 for that doctor who is a citizen to contribute if his  
4 spouse is a foreign citizen. So, it -- it -- it goes  
5 beyond protecting the United States in this process  
6 from the impact of foreign governments and therefore in  
7 government -- governmental policies.

8 If -- if that is the concern, so, the first  
9 question is why expand it to any foreign national --  
10 that concern? And then the second point is, if -- if  
11 there's that deep a concern about the influence, and I  
12 would say -- I'm not making the distinction between  
13 ballot initiatives and other campaigns or political  
14 events.

15 If -- if the Ohio House sees foreign national  
16 influence as harmful, why isn't the bill -- why is it  
17 focused on ballot initiative not all political process?

18 REP. PETERSON: Other questions for the  
19 witness? Thank you for traveling down and joining us  
20 today.

21 DR. LAVIN: Thank you, Chair.

22 REP. PETERSON: Next, we have Spencer Dirrig

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1 with Ohio Environmental Council. Thank you for being  
2 with us today.

3 MR. DIRRIG: Good morning, Chairman. Just one  
4 slight correction, Ohio Environmental Council Action  
5 Fund.

6 REP. PETERSON: Oh, I'm sorry. Thank you.

7 MR. DIRRIG: It's the organization I'm here  
8 representing today.

9 REP. PETERSON: Thank you for clarity.

10 MR. DIRRIG: Thank you. Good morning, Chair  
11 Peterson, Vice-Chair Thomas, Ranking Member Humphrey  
12 and members of the Ohio House Government Oversight  
13 Committee. Thank you for the opportunity to testify  
14 before this committee today on House Bill 1,  
15 legislation on campaign finance law regarding foreign  
16 nationals and statewide initiatives.

17 I am Spencer Dirrig. I'm proud to serve as the  
18 director of the Ohio Environmental Council Action Fund  
19 representing citizens across the state of Ohio who care  
20 about our environment and our democracy.

21 At the Ohio Environmental Council Action Fund,  
22 we know that a healthy and inclusive democracy is

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1 essential for a healthy environment. We oppose  
2 legislation designed to restrict the power and freedom  
3 of Ohioans to organize and participate in the  
4 democratic process.

5 The voices being silenced by this legislation  
6 belong to real people who genuinely desire to improve  
7 their communities. My grandparents took the very little  
8 money they had and brought my mother to this country  
9 because they believed America was a shining beacon of  
10 freedom and democracy.

11 Unquestionably, becoming a United States  
12 citizen was truly the best day of their lives and they  
13 treasured that accomplishment immensely. But that  
14 process is long and arduous.

15 They spent eight and 14 years, respectively,  
16 in this nation before becoming citizens. And throughout  
17 that time, they donated to non-profit organizations.  
18 They organized community members to support one  
19 another. And they supported issues that they cared  
20 deeply about.

21 This legislation is antithetical to the  
22 democracy that my family and many others came here to

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1 experience. The OEC Action Fund supports disclosure and  
2 transparency in campaign finance, whether regarding  
3 ballot initiatives or electoral candidates.

4 Such disclosure requirements should be evenly  
5 applied to all organizations ensuring transparency in  
6 Ohio's elections. And those disclosure requirements  
7 should not be designed around targeting immigrants and  
8 the organizations they support.

9 HB 1's language creating alternative political  
10 organizations and their associated disclosure  
11 requirements are not actually about ballot initiative  
12 transparency. They are designed to chill grass roots  
13 organizations supporting ballot initiatives and punish  
14 them for inclusively working with their communities.

15 If this body would like to truly improve  
16 transparency by increasing disclosure across the board  
17 for organizations and individuals that engage in  
18 political expenditures, we'd surely welcome that.

19 This legislation, on the other hand, is a  
20 targeted effort to attack a small subset of  
21 organizations and individuals and it's being presented  
22 in bad faith. It's crucial to note that the

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1 contribution of foreign money to influence domestic  
2 elections is already illegal under federal law and  
3 these restrictions already apply to state elections.

4 However, HB 1 goes beyond these necessary  
5 measures and instead it aims to impose complex, broad  
6 and unclear restrictions on local, citizen led  
7 organizations that support ballot initiatives.

8 Non-profit organizations, including those that  
9 support environmental causes, receive donations from a  
10 variety of sources. This legislation, if enacted, would  
11 not only stifle the voices of Ohioans but would also  
12 hinder their ability to support causes that directly  
13 impact them.

14 Donations from foreign sources in other  
15 countries are already regulated by federal law. Any  
16 legislative -- legislation specifically targeting those  
17 sources would be duplicative. Thus, this bill is  
18 unnecessary for a more narrowly tailored purpose and in  
19 broad form restricts the first amendment rights of all  
20 Ohioans.

21 Of import, U.S. residents who are not yet U.S.  
22 citizens are still afforded rights under the U.S.

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1 Constitution including their first amendment rights. As  
2 demonstrated during the August special election last  
3 year, Ohioans cherish their right to use ballot  
4 initiative when necessary to make changes in our state.

5 They are ready and willing to act in defense  
6 of our democracy. This bill should be called what it  
7 is, an attack on Ohioan's rights to organize. Given the  
8 negative implications of HB 1, we strongly urge members  
9 of the Ohio House Government Oversight Committee to  
10 vote against this bill.

11 It's crucial that we protect the rights and  
12 voices of all Ohioans. Thank you for the opportunity to  
13 address this body on such an important issue.

14 REP. PETERSON: Are there questions for the  
15 witness? Representative Isaacsohn.

16 MR. ISAACSOHN: Thank you, Chair. Thank you,  
17 Spencer, for coming in today and giving such  
18 impassioned testimony. My question revolves around some  
19 of the discussion that you brought up around how this  
20 might impact people's ability or willingness to  
21 participate in political activity that they are driven,  
22 you know, in issues that they care about.

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1           So, are there -- I'll just start with are  
2       there members of the organization or folks who've been  
3       involved in grassroots organizing with you guys that  
4       have relatives that are foreign nationals?

5           MR. DIRRIG: Absolutely. Yes. We have many  
6       Ohioans who have relatives who are foreign nationals  
7       who are actively engaging, whether it be in signature  
8       collection for ballot initiatives, supporting them  
9       financially or sharing information with their neighbors  
10      and communities.

11          REP. PETERSON: Continue.

12          MR. DIRRIG: Oh, sorry. Through the Chair to  
13      the Representative.

14          MR. ISAACSOHN: Is it possible then, let's say  
15      there's a young college student who, you know, is  
16      motivated to participate. Sees what's happening in the  
17      state. Wants, you know, to get involved in a political  
18      issue campaign, you know, to protect the climate.

19          And recently they had a birthday. Their  
20      grandparent, who is a foreign national, gave them \$200  
21      for their birthday as a gift. And then a few weeks  
22      later they wanted to get involved politically.



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1                   They spent \$200 on a -- a few poster -- a  
2 bunch of posters for them and their friends and really  
3 nice markers. I don't know how you get to \$200 with  
4 arts and crafts but I'm sure it's possible.

5                   And they then took those and went to a rally  
6 in support of an issue. Do you think they would have a  
7 clear understanding of whether that constituted an  
8 independent expenditure, whether that constituted an  
9 indirect contribution from a foreign national to a  
10 ballot initiative or a state issue campaign. Like, what  
11 do you think they -- what might be the impact of this  
12 bill on that type of political activity?

13                  MR. DIRRIG: Mr. Chairman, Representative,  
14 they absolutely would not have a clear indication or  
15 understanding of what the liability of being involved  
16 in this process or, frankly, in any advocacy whatsoever  
17 could be.

18                  The reality is not only would they not have an  
19 indication or understanding of what the liability is,  
20 the organization, who is working with them, certainly  
21 does not have an understanding based on the way the law  
22 is written right now on how this law would be enforced

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1 and certainly where you draw the line on foreign  
2 nationals having combined bank accounts, being able to  
3 engage in the process.

4 It puts a huge chilling effect not only on the  
5 individual, who may be a foreign national, but people  
6 who are associated with that foreign national and on  
7 organizations that have the audacity to try and  
8 organize people in the State of Ohio.

9 REP. PETERSON: Continue.

10 REP. ISAACSOHN: So, given all of that, do you  
11 think this bill, as drafted or likely, you know, the  
12 spirit of the bill even if it shifts a little bit over  
13 time. What do you think the impact will be on  
14 grassroots organizations and the ability for people,  
15 particularly new to the political process, to feel  
16 comfortable and safe getting involved?

17 MR. DIRRIG: By putting up a -- oh, to the  
18 Chairman, through him to the Representative through the  
19 Chairman, apologies. I strongly believe that by putting  
20 up these broad, unspecific, and frankly confusing  
21 restrictions and empowering the Attorney General to  
22 enforce them in a very, very heavy way, will certainly

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1 put a chilling affect on the right of Ohioans to be  
2 able to engage in our democratic process.

3 And it will also, because of the increased  
4 regulatory burden, the need to create new disclosure  
5 frameworks and tax frameworks will certainly cause a  
6 massive chilling affect on organizations all across the  
7 state of Ohio and across the political spectrum, who  
8 want to have a hand in our democratic processes.

9 REP. PETERSON: Representative Brown with a  
10 question.

11 REP. BROWN: Thank you, Chair. Thank you, Mr.  
12 Dirrig, for your testimony as well. I take it from your  
13 testimony that you believe the initiative is a form of  
14 direct democracy, which is important to the people of  
15 Ohio. Is that correct?

16 MR. DIRRIG: To the Representative, through  
17 the Chairman, absolutely. Democracy is -- is crucial to  
18 advancing a fair and healthy environment.

19 REP. BROWN: The initiative has been part of  
20 the Ohio constitution since the constitutional  
21 convention of 19 -- the Ohio constitutional convention  
22 of 1912 at which former Republican President Theodore

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1 Roosevelt spoke, eloquently, in a famous speech called  
2 A Charter of Democracy. And in that speech Rosevelt  
3 said the following, I want to quote him.

4 In short, I believe that the initiative and  
5 referendum should be used, not as substitutes for  
6 representative government, but as methods of making  
7 such government really representative.

8 Action by the initiative or referendum ought  
9 not to be the normal way of legislation, but the power  
10 to take it should be provided in the constitution, so  
11 that if the representatives fail truly to represent the  
12 people on some matter of sufficient importance to rouse  
13 popular interest, then the people shall have in their  
14 hands the facilities to make good the failure.

15 And he went on, provide by the initiative and  
16 referendum that the people shall have power to reserve  
17 or supplement the work of the legislature should it  
18 ever become necessary.

19 Do you agree with those sentiments of Teddy  
20 Roosevelt, one of the most famous Republican Presidents  
21 of all time?

22 MR. DIRRIG: To the Representative through the

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1 Chairman, I absolutely do. Direct democracy is a  
2 cornerstone of this state and frankly, of the democracy  
3 that we all enjoy.

4 One of my -- when I think back on the  
5 importance of democracy in this state and why I'm  
6 standing here, frankly, my late grandfather, who came  
7 here from India would tell me that, you know, after  
8 growing up in partition and under British Colonial  
9 rule, democracy was crucial, not because it was a goal  
10 to achieve, in and of itself, but because it was a  
11 tool, a path to justice.

12 And the reality is is that when we see  
13 injustice happening, democracy is an opportunity. It is  
14 a path to be able to seek justice.

15 And by putting barriers in the way of Ohioans,  
16 who are trying to use that process to make progress,  
17 whether you agree with the issue that they're working  
18 on or not, it is antithetical to our democracy and puts  
19 a chilling affect on advocacy across the state.

20 REP. PETERSON: Any questions? Representative  
21 Skindell.

22 REP. SKINDELL: Thank you, Mr. Chair. Thank

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1     you for your testimony today. One of the most  
2     concerning parts of the legislation before us is the  
3     mandatory referral to the Attorney General's Office of  
4     any candidate committee, statewide committee, any of  
5     the other committees named, including, it would be the  
6     how our own Environmental Council Action Fund, if  
7     there's any violation.

8             And that's different than what current law is  
9     because the current law is it goes before the  
10    Election's Commission. The Election Commission will  
11    investigate and hold a hearing. And they don't  
12    necessarily need to prosecute, need to fine.

13            In fact, they could enter an order just  
14    saying, yeah maybe there's been a violation. We don't  
15    find it necessary to impose a fine or -- or to further  
16    prosecute. And they try to resolve it with the -- the  
17    current committee.

18            This legislation radically changes that. The  
19    commission must, if there's a violation, the commission  
20    must refer it to the Attorney General's Office. And I'm  
21    -- I'm, kind of, curious as to what your -- your  
22    thoughts are with regard to that mandatory referral of

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1 all these various committees to the Attorney General's  
2 Office.

3 MR. DIRRIG: To the Representative through the  
4 Chairman, to be very clear, this is the crux of the  
5 chilling affect that is -- is engaging -- is -- is the  
6 goal here. As an organization if we are signing  
7 ourselves up for being referred to the Attorney  
8 General, which is a partisan act, regardless of whether  
9 they're a Democrat or a Republican.

10 It's a partisan position. Signing ourselves up  
11 to be referred to the Attorney General simply by being  
12 engaged in any way and about an initiative where one  
13 other organization may or may not have taken money from  
14 certain person who is not a resident of the United  
15 States but is a -- oh, I'm sorry, is not a citizen of  
16 the United States but is a resident of the United  
17 States and being forced to undergo that legal action is  
18 absolutely a chilling effect.

19 Every decision we make as an organization is a  
20 balance between opportunity and liability. We are  
21 vastly increasing the liability of being involved in  
22 the democratic process in this legislation. And it will

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1 absolutely have a chilling effect on the ability from  
2 our organization and others across this state to be  
3 engaged in this process.

4 REP. PETERSON: Other questions? I have two  
5 quick questions if you would allow.

6 MR. DIRRIG: Thank you, Chair.

7 REP. PETERSON: Does the Ohio Environmental  
8 Council Action Fund make donations to candidates in  
9 Ohio?

10 MR. DIRRIG: The Ohio Environmental Council  
11 Action Fund does not make any donations to candidates.  
12 No, Sir.

13 REP. PETERSON: Thank you. That takes care of  
14 my second question also.

15 MR. DIRRIG: Alright. Well, thank you so much.

16 REP. PETERSON: Thank you for being with us  
17 today.

18 MR. DIRRIG: Thank you for the opportunity.  
19 Appreciate it.

20 REP. PETERSON: Next, we have Laura Irvin  
21 presenting an opponent testimony. Thank you for joining  
22 us today.



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1 MS. IRVIN: Thank you. Chair Peterson, Vice  
2 Chair Thomas, Ranking Member Humphrey, members of the  
3 Government Oversight Committee, thank you for the  
4 opportunity to testify in opposition to House Bill 1.

5 My name is Laura Irvin. I live in Lorain  
6 County. I am a believer in democracy. I want to address  
7 several points in this bill. Foreign money in our  
8 elections is already prohibited under federal law.

9 There is an Ohio Elections Commission advisory  
10 letter stating that the federal law applies to Ohio.  
11 Surprise. Surprise. This is unnecessary. Trying to pass  
12 a bill or a law that already exists is a waste of time  
13 and a waste of taxpayer money.

14 It will not solve the problem. Foreign  
15 nationals who want to contribute millions to ballot  
16 issue campaigns will simply donate the money to  
17 501(c)(4)'s. Ohio does not require 501(c)(4)'s to file  
18 anything about how they raise money, the names of their  
19 donors, their addresses, their dollar amounts or the  
20 connections between their companies and their  
21 campaigns.

22 If you're serious -- if you're truly serious

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1 about wanting to remedy the -- remedy this problem,  
2 adopt House Bill 112, The Anti-corruption Act, which is  
3 sponsored by Reps Miranda and Sweeney.

4 But, of course, to do that you're going to  
5 have to give it more than one hearing. This bill has  
6 been introduced many times in the last 10 to 12 years.  
7 The emergency clause in the legislation is unwarranted  
8 unless it's targeting citizens not politicians or other  
9 ballot issues.

10 Those of us who want fair districts, which is  
11 the majority of Ohioans, we know what you're up to. You  
12 prefer unconstitutional maps that give you a super  
13 majority. As the Capital Journal wrote, it would  
14 require all groups rallying -- rallying for a cause  
15 that a receiving donation to spending money to register  
16 is past.

17 This means that each group would have to file  
18 disclosures with the government. And it could make it  
19 more difficult to collect signatures to get a proposal,  
20 say for a township ballot.

21 You want to make it harder to pass ballot  
22 initiatives in Ohio, which are the true voice of the

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1 people. And remember, this will have a chilling effect  
2 not on just our petitions, but all citizens led  
3 positions even those that Republicans are for.

4 So, we know you're trying to silence our  
5 voices. The most egregious part of this bill is  
6 stripping the enforcement of the legislation from the  
7 county prosecutors to under the purview of the Attorney  
8 General's Office.

9 We have an activist Attorney General and we  
10 know what she will pick and choose to prosecute. And I  
11 would also like to say, just for the record, because  
12 the Ohio legislature couldn't get their stuff together,  
13 the DNC announced that it will be holding a virtual  
14 meeting to officially nominate Joe Biden as their  
15 candidate for president.

16 We'll make sure that he is on the ballot. And  
17 I tell you, this is an embarrassment. I'm originally  
18 from Texas and people from Texas are calling me and  
19 talking to me about this. It's a shame. It's a shawda  
20 [ph]. And it's really unbelievable that you all  
21 couldn't get your stuff together.

22 Open for questions.

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1 REP. PETERSON: Are there questions for the  
2 witness? Representative Brown.

3 REP. BROWN: Thank you, Chair and thank you,  
4 Ma'am for your testimony today. One of the issues I  
5 have with the bill in particular is the -- giving power  
6 to the Attorney General over local county prosecutors.

7 In -- in that provision of the -- of the House  
8 Bill 1 provides that the Ohio Election Commission shall  
9 refer the matter to the Attorney General except that if  
10 the -- except in cases where the Attorney General is a  
11 victim or a witness or -- quote, otherwise involved in  
12 the matter, quote.

13 So, I asked the sponsor yesterday in this  
14 committee what does otherwise involved in the matter  
15 mean. And he basically said, well, it means that the  
16 Attorney General polices himself. So, that basically  
17 tells me there's no oversight of the Attorney General's  
18 decision as to whether or not he is involved otherwise  
19 in the matter at hand.

20 And we would be left to the whim of the  
21 objectivity of the Attorney General with regard to  
22 potential recusal by the Attorney General of the

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1 Attorney General from these matters. Do you believe  
2 that that is a sound and politically astute way of  
3 doing things?

4 MS. IRVIN: Through the Chair to the  
5 Representative, that's crazy. I mean, what can you say?  
6 We have so many politicians in this state, in this  
7 country, some of who are in prison because they have  
8 been the ones who are -- I'm trying to think of the  
9 word. They're the ones who have been regulating  
10 themselves.

11 REP. PETERSON: Representative Skindell with a  
12 question.

13 REP. SKINDELL: Thank you, Mr. Chair. You  
14 brought it up in your testimony about the power being  
15 transferred to the Attorney General. And this is  
16 somewhat in follow up to the questioning by  
17 Representative Brown, also.

18 So, under the current system of election law,  
19 you may be aware of, if something is referred to the  
20 commission for a possible election law violation the  
21 commission takes a look at it. They may find that  
22 there's not enough evidence or not enough grounds to

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1 pursue a matter and just dismiss it.

2 If they find that okay, maybe there was a  
3 violation, they can find good cause not to impose a  
4 fine or anything but get it resolved with the -- the  
5 particular committee. They can issue an order imposing  
6 a fine or refer it to the county prosecutor.

7 That's the -- kind of, the steps in what --  
8 what they need to do. The change in the law, which is  
9 the most radical provision of House Bill 1 is referring  
10 all these matters with regard to these candidate  
11 committees, the committees for the state office  
12 holders, these -- all the -- the issue committees out  
13 there.

14 Is all these matters divest the -- divest the  
15 Election Commission from hearing them and transfer them  
16 to the Attorney General's Office and then grant the  
17 Attorney General unprecedented powers that we don't see  
18 in the Ohio General -- Ohio Attorney General normally.

19 And the provision of the code says, the  
20 Attorney General may prosecute the matter with all the  
21 rights, privileges and powers conferred by law on  
22 prosecuting attorneys including the power to appear

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1 before a grand jury and interrogate witnesses before  
2 the grand juries.

3 The powers of the Attorney General are in  
4 addition to any other applicable powers of the Attorney  
5 General. What do you think the -- might be the chilling  
6 effect on all candidates in these issue committees and  
7 candidate committees by having just even minor things  
8 being sent to the Attorney General, who's granted all  
9 these -- these exclusive powers?

10 MS. IRVIN: Through the Chair to the  
11 Representative, they want to silence us. That's the  
12 intent. That's the exact intent of this. They don't  
13 want us involved. They want to keep their supe  
14 majority. They want to do what they want to do. They  
15 want to get their money from lobbyists. And they want  
16 to silence us.

17 REP. SKINDELL: Mr. Chair.

18 REP. PETERSON: Follow up. Shorter -- shorter  
19 question if possible.

20 REP. SKINDELL: Thank you. Do you think that  
21 this then will instill a highly political process in  
22 pursuing election law violations with regard to these

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1 committees?

2 MS. IRVIN: Through the Chair to the  
3 Representative, absolutely.

4 REP. PETERSON: Are there questions for the  
5 witness? Thanks for being with us today.

6 MS. IRVIN: Thank you.

7 REP. PETERSON: Next, we have D.J. Byrnes with  
8 opponent testimony. Sir, thank you for joining us.

9 MR. BYRNES: Thank you, Chair Peterson, Vice  
10 Chair Thomas, Ranking Member Humphrey. I'm here  
11 speaking today on HB 1. Let's see, you know, like, I've  
12 come to -- I've come to like some of you guys,  
13 personally. You know, the problem I have is when you  
14 guys get together, and you start conspiring.

15 You know, the hob gob of blood gets boiling in  
16 you. And, you know, I blame -- part of this blame that  
17 we're even talking about this lies with the National  
18 Democratic Party. They should have seen this train  
19 coming as far back as February.

20 I mean, they were told. You can always make  
21 money in this industry by betting on the worst on you  
22 guys. By betting on the worst. And I know the blame



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1 also extends to Governor Sleepy T, who last I heard  
2 was, you know, some L.A. County retirees are trying to  
3 get him under oath for his involvement in HB 6.

4 Some of the blame goes with him. And a lot of  
5 the blame goes with Senate President Tim McVay Jr., his  
6 super gimp Rob McColley. And just the Macanations that  
7 the Ohio Senate has engaged in. So, like, kudos to you  
8 guys.

9 I mean the most flavored offenders, obviously,  
10 are not in this room. But, you know, kudos to you guys.  
11 Rep Oelslager, you pointed it out last night with my  
12 guys [inaudible]. You said, you know, the way the  
13 Senate is engaging in this bill is completely un-  
14 democratic, against the rules.

15 And what do they do, in typical mafia style,  
16 they rammed it through. You know, and you guys are at  
17 least here combining it. And I get that. But, you know,  
18 the blame also goes on you guys for trying to go, like,  
19 even getting this into the [inaudible] in the first  
20 place. Sorry to cuss. Didn't mean to do that.

21 This is nothing more than just, like, an  
22 attack on statewide ballot initiatives and groups who

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1 are in the middle of campaigning for a legislative  
2 amendment that will finally break up your little yunta  
3 [ph]. I learned how to pronounce that word correctly  
4 the other day.

5 You guys don't have it going on in the state  
6 level. Like, you guys can pretend this is about oh,  
7 democracy and oh, for money. Like, it was no Swiss  
8 boller that subjugated every level of state government.  
9 A Swiss boller didn't do that. A Swiss boller didn't do  
10 H the largest extortion scheme to date history that we  
11 know about that has left two lobbyists dead.

12 That wasn't a Swiss boller. That was our own  
13 government, First Energy, who is still in business. You  
14 guys haven't done anything. Not one word. Any time I  
15 try to talk to you about HB 6 it's all sucks, I'm just  
16 a farmer. Oh, I don't know, I haven't read the latest  
17 updates.

18 Well, I have. You know, nobody wants to talk  
19 about it. And, like I said, this committee is not the  
20 most flagrant offenders. Nobody in this room is a  
21 flagrant offender. It's when you all get together. And  
22 I'm just asking you, for once, have some respect for

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1       yourself.

2                   Why are we going along with Tim McVay Jr. and  
3       his super gimp when they just want to get up there and  
4       they want to cry about, oh for money this, for money  
5       that. You know it's nonsense.

6                   So, I'm urging you guys, and I heard maybe  
7       this is a possibility where you're going to, you know,  
8       shuttle this one and promote the -- the clean fix  
9       ballot bill. But, I mean, at -- at what point does it  
10      end guys?

11                  Because I mean, I'll tell you what, this is  
12      the perfect -- you guys are putting a bow on this  
13      ballot initiative that's going to end your guys' super  
14      majority. And a lot of you guys won't be here. Because  
15      Ohio -- Ohio's not a Republican state, right? It's a  
16      hog state.

17                  And the hog voters went three and 0 against  
18      you guys last year. And because you guys don't know how  
19      to campaign because a lot of you guys have deluded  
20      yourselves into, you know, oh, my super majority, red  
21      plus 40 district equates to political talent and  
22      governmental knowhow.

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1           You guys are putting a bow tie on it for us.  
2           And the hog voters are coming. In November it doesn't  
3           matter. Donald Trump -- Donald Trump voters don't even  
4           vote. So, you know, the hog voters are going to come  
5           again.

6           So, I would just ask yourselves, you know, do  
7           you want to have respect, or do you want the hog voters  
8           to run wild on you either way? Because it's -- it's  
9           going to be a win for me. So, sorry I got a little  
10          excited there.

11          I'm obviously not talking to everybody in this  
12          room. But you guys have a line to the people that are  
13          in charge, and I'd appreciate it if you ran it up the  
14          flagpole.

15          REP. PETERSON: Questions for the presenter.  
16          Let's -- and let's try and focus on the bill that's  
17          before us today, please. Representative Skindell.

18          REP. SKINDELL: Thank you, Mr. Chair. House  
19          Bill 1 transfers a Trumpian style power from the  
20          Election Commission to a single person in the Attorney  
21          General, who is a political individual themselves to  
22          prosecute all types of possible election law

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1 violations.

2 What's your -- your general thought about  
3 consolidating that type of power and granting all this  
4 prosecutorial power in the Attorney General in election  
5 matters?

6 REP. PETERSON: Mr. Byrnes, if you -- if you  
7 can do me one favor.

8 MR. BYRNES: Yeah. Keep it on the question.

9 REP. PETERSON: Of -- let's not be too  
10 derogatory on specific individuals.

11 MR. BYRNES: Yeah.

12 REP. PETERSON: But share your opinion. Let's  
13 -- let's be kind.

14 MR. BYRNES: So, I think, like, fundamentally,  
15 our -- the founding fathers, you know, God bless them.  
16 I think they erred in making our top cop -- our top  
17 election officials, you know, partisan hacks,  
18 basically.

19 And we've, kind of, seen how our state  
20 government has toppled over a cliff in these last  
21 couple years thanks to that. So, do I entrust giving an  
22 elected, you know, theocrat more sway over our

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1 elections, more ways to poison the well and twist the  
2 levers of power more in their favor.

3 It's -- it's just -- it's just the typical  
4 nonsense that we've come to expect from these people.  
5 You know, this is a -- this is fundamentally a question  
6 about does the sitting United States President deserve  
7 to be on the ballot in Ohio? In a state that Trump's  
8 going to win.

9 And they got it diluted all the way down to us  
10 talking about, you know, should we give Dave Yost more  
11 power. Frankly, I think Dave Yost, and whatever people  
12 come after him, they have enough tools as it is to go  
13 after foreign money, which is already illegal.

14 So, why are we wasting our time here talking  
15 about this. That -- that's what they want us talking  
16 about. So, yeah. Sorry.

17 REP. PETERSON: Follow up. Continue.

18 MR. SKINDELL: Just briefly, Mr. Chair, thank  
19 you. So, one of the other concerns I have is election  
20 matters that go before the Elections Commission under  
21 current law. They're under a time constraint. The  
22 Election Commission must wrap them up within a certain

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1 period of time.

2 But it doesn't place any time constraint on  
3 the Attorney General when he's prosecuting these  
4 matters. So, it can go endlessly and -- and disrupt a  
5 campaign committee for endless time. I was wondering if  
6 you have any concerns about not placing time limits on  
7 the Attorney General to resolve these matters.

8 MR. BYRNES: Yeah. I mean, it's always a  
9 concern, right. It's -- and it's just how are they  
10 going to use that power? How -- like, how -- what's the  
11 worst case they could use that power?

12 I mean, would somebody like -- would the  
13 Republicans be comfortable with somebody like me being  
14 the Attorney General? Going to law school? Mail order  
15 law degree? Twitter law? Being the Attorney General and  
16 having those kinds of powers? No. They wouldn't.

17 And I think when you're talking about  
18 something when it comes to our elections, the word  
19 bipartisan used to mean something in this country. And  
20 now it's, we see how far that word gets us around here.

21 REP. PETERSON: Other questions for the  
22 witness? Representative Isaacsohn.

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1 REP. ISAACSOHN: Thank you, Chair. Thanks for  
2 your testimony today. My question is just why do you  
3 think, given your experience in this body, what do you  
4 think is the reason for there to be a emergency clause  
5 attached to this -- this bill?

6 MR. BYRNES: Because they couldn't even -- you  
7 know, they couldn't even do it in their -- they  
8 couldn't even do it in the proper time in their  
9 legislative super majorities. So, here we are.

10 And they're trying -- they're trying to shift  
11 some of the blame because they need some of the votes  
12 in the other caucus. They're trying to shift the blame  
13 to anybody else but themselves and make it seem like  
14 it's a choice between, like, putting dark -- you know,  
15 you stood with the dark money foreign billionaires.

16 When I get that will work in some circles in  
17 this state where there's information deserts where  
18 people don't subscribe to the rooster. You know, but,  
19 like, the people that know what's -- the people that  
20 know what's going on and the people that observe and  
21 the people that have a functioning cerebral cortex can  
22 see it's just a naked -- it's just another naked power



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1 play where super majorities aren't enough.

2 Having every statewide elected official beside  
3 Sheriff Brown isn't enough. Having, you know, the  
4 Governor's son on our Republican stacked supreme court  
5 is not enough. We also have -- we also -- we have to,  
6 like, they have to beat us and then they have to step  
7 over your corpse and say F.U. on their way over. Why?  
8 Because they can.

9 REP. PETERSON: Language please. My -- my  
10 grandchildren may be watching.

11 MR. BYRNES: Yeah. You know, as far -- you  
12 know, I use the French phrase F. But it -- it's just,  
13 you know, it's the -- it's going. And the audacity, it  
14 just never ceases. It will never be enough until it's  
15 taken out of their hands entirely.

16 REP. PETERSON: Other questions for the  
17 witness? Representative Swearingen.

18 REP. SWEARINGEN: I have to. Could you, Mr.  
19 Chairman to the witness, could you explain for the  
20 folks at home what an Ohio hog voter is?

21 MR. BYRNES: I mean the Ohio -- it -- we saw  
22 the perfect example of the Ohio hog voter these last

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1 three elections. I mean, the Ohio hog voter is somebody  
2 who, you know, is underpaid, overworked. Goes home.

3 Is -- you know, have -- has -- has bills --  
4 has bills going crazy trying to manage stuff with  
5 healthcare, childcare, you know, the underpaid check  
6 from them employees. And they don't -- the hog voter,  
7 they're probably an Ohio State fan. They might have  
8 some opinions on January 6th.

9 But they don't take -- they -- the hog voter  
10 at their core at least knows we're supposed to be upset  
11 with you guys. That you guys have taken something from  
12 us and that we should be angry about it.

13 Now, some on the right, you know, that get  
14 into the little racism and the anti-immigrant stuff,  
15 that's not very good. But at least they know they're  
16 supposed to be angry. And they don't take their party -  
17 - they don't take their orders from the party elites.

18 And I think -- I -- you know, I do give the  
19 Republicans a lot of credit for that even though it's  
20 been to the detriment of our society at a whole. At  
21 least their party is -- you know, at least they're  
22 party voters, like, are the hogs.

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1                   They understand the -- the power, you know.  
2                   Hogs together strong. And hopefully the Democratic  
3                   party can figure out how to tap into that because they  
4                   haven't been able to translate winning issues on  
5                   abortion, weed, should we dilute our own power at the  
6                   constitution, you know, in constitutional amendments.  
7                   They've been 0 and 3.

8                   And so, I think the hog voters are going to be  
9                   looking at this issue. Because, you don't always  
10                  understand, you know, you guys don't want fair  
11                  districts. You guys have a pretty sweet gig. I get it.

12                  And power and leverages gives itself away. But  
13                  you guys are setting yourselves up to be railroaded.  
14                  And not in a good way either, by the hog voters in  
15                  November. Because we -- you know, we already thought we  
16                  ended this stuff and yet here we are.

17                  REP. PETERSON: Other questions for the  
18                  witness? Thank you for being with us today.

19                  MR. BYRNES: Thank you.

20                  REP. PETERSON: Next, we have Catherine Turcer  
21                  with an interested party testimony. Thanks for joining  
22                  us today.

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1 MS. TURCER: Good morning. I have to say, I'm  
2 not exactly prepared to talk after that. So, thanks for  
3 making it harder for me. Anyway, I did want to thank  
4 you all for this opportunity to testify and for  
5 creating a space for the public to weigh in on  
6 legislation during this special session.

7 I want to be very clear that I, you know, I  
8 appreciate the -- the process that the House is using  
9 where we do have an opportunity to let you all know  
10 what we're thinking and some of our concerns.

11 I was around for the special session in 2004,  
12 much like Rep. Oelslager and I appreciate the, kind of,  
13 doing this as House Bill 1. So, I just wanted to make  
14 sure you all knew that.

15 So, I should introduce myself. I'm Catherine  
16 Turcer from Common Cause Ohio. You know, for many years  
17 I've been advocating for greater transparency in, you  
18 know, Ohio's campaign finance system.

19 I spent a lot of time talking about, you know,  
20 shining a light on dark money. And just the importance  
21 of being able to follow the money. And -- and we all  
22 know that money plays an outside role -- outside role

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1 in elections.

2 And I strongly encourage you to consider how  
3 you can make the system more transparent so that voters  
4 are able to follow the money. They need to be able to  
5 consider the source of information.

6 All you have to do is think back to House Bill  
7 6 and Generation Now and the adds and if they had a  
8 sense that that was funded by First -- First Energy,  
9 they might have looked at those adds in a different way  
10 and lobbied you all, you know, as the public in a  
11 different way.

12 So, I think as we -- we -- we need greater  
13 transparency also to root out possible shenanigans and  
14 corruption.

15 Now, obviously, we're here today to talk about  
16 foreign money. It is, of course, prohibited under an  
17 opinion by the Ohio Elections Commission that  
18 determined that Ohio statutory structure sufficiently  
19 protects the involvement of any foreign national from  
20 participating in or contributing to an issue or  
21 question that will appear on Ohio's ballot.

22 Now, there's a benefit to actually taking time

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1 and crafting legislation that bans foreign money. I --  
2 this -- this actually makes sense. You know, we can  
3 look at what's happened in other states. They made a  
4 decision to, kind of, slowly work through.

5 Because there are -- there are some real  
6 challenges to doing this well. And you can imagine the  
7 kinds of things that could come up. For example, let's  
8 suppose I married, you know, I was married to a  
9 Canadian and I gave a contribution to a candidate.

10 I don't give contributions to candidates but  
11 suppose I did. He makes a lot more money than I do. Was  
12 that money from a foreign source. And so, there are a  
13 lot of things -- there are a lot of permutations and  
14 so, we need to be thinking about, like, just real  
15 clarity so that we're able to address -- you know,  
16 we're able to address the best way to stop the kind of  
17 worries that people clearly have.

18 Now, it's not clear to me that actually  
19 foreign money has been part of Ohio, you know, ballot  
20 campaigns. I want to be super clear about that. But, of  
21 course, you know, if you don't have greater  
22 transparency, you can't follow the money. So, you can't

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1 figure out if there was foreign money in elections.

2 So, at the end of the day, there is a real  
3 benefit thinking about creating greater transparency.  
4 Now, I do have some reservations about rushing such an  
5 important, you know, important decisions.

6 And to ensure that we're -- we're creating  
7 good policies but we're not creating the kind of  
8 obstacles where folks don't want to get engaged in the  
9 process. And so, I just -- I want to encourage you to  
10 thoughtfully look at the bill. Think about provisions.  
11 Think about amendments you're making.

12 Now, the one piece that I am worried about and  
13 it's the reason, you know, interest part -- interested  
14 party here, is, you know, good enforcement is  
15 important. It's an important part of campaign finance  
16 because you can pass rules and, you know, it's a little  
17 like speeding. You know, many of us actually speed on  
18 the highway unless we know there's a cop nearby.

19 It's important to have a good enforcement  
20 mechanism. Now, this bill, which was just introduced  
21 yesterday, takes the enforcement away from county  
22 prosecutors and gives it, instead, to the Ohio Attorney

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1 General.

2 Now, remember the Attorney General already  
3 does have a role in ballot campaigns. And specifically,  
4 I'm talking about the citizen-initiated ones. The  
5 Attorney General reviews the summary language and this  
6 giving him a second role does not create the proper  
7 checks and balances that are needed.

8 And the language in the bill would suggest it  
9 would possibly remove the Attorney General  
10 unintentionally because he's already got a role in the  
11 ballot campaigns. Now, I would like to believe that the  
12 -- the no Attorney General would abuse their role in  
13 the process.

14 But we know that it could be incredibly  
15 tempting. And, you know, we know that when you pass  
16 something like this it's not for this year. It's for  
17 next year and the following years and possibly 10 or 20  
18 years.

19 So, we do need to ensure that investigations  
20 do not become politicized. Now, lots of times I don't  
21 agree with Rep. Seitz, but I have to say, when he was  
22 testifying yesterday, when he did the sponsor



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1 testimony, he said, he's really correct about the Ohio  
2 Elections Commission being a paper tiger.

3 But it is a panel that includes Republicans,  
4 Democrats, and Independents. Now, a better approach to  
5 thinking about the enforcement mechanism is to ensure  
6 that Ohio elections, you know, are free of foreign  
7 influence is to actually give broader investigative  
8 power to the Ohio Elections Commission.

9 You could also, you know, beef up their budget  
10 a little bit because they would need that if that was  
11 the case. Now, I want to highlight again that a  
12 comprehensive and effective campaign finance law would  
13 include provisions that create greater transparency.

14 To ensure that foreign money doesn't play a  
15 role in Ohio elections it's necessary to require good  
16 disclosure from those engaged in independent  
17 expenditure. Now, nothing in this legislation addresses  
18 how the lack of transparency fostered House Bill 6, and  
19 that's scandal.

20 Dark money has impacted Ohio elections for  
21 years and Ohioans have been living with the  
22 consequences. The very real consequences of the part of

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1 House Bill 6 that has not been removed where rate  
2 payors are continuing to prop up coal plants, for  
3 example.

4 Now, creating greater transparency will make  
5 it easier to root out foreign money and other  
6 shenanigans. Now, it's, you know, I also believe it  
7 takes time to do this properly. I urge you to slow down  
8 to ensure that there are not any unintended  
9 consequences.

10 And I want to thank you for this opportunity  
11 again.

12 REP. PETERSON: Thank you for being with us.  
13 Questions for the witness. Representative Humphrey.

14 REP. HUMPHREY: Thank you, Mr. Chairman. And  
15 thank you Ms. Turcer for -- for being here. Really good  
16 testimony. Want to talk about some transparency points  
17 that you brought up. And a lot of my colleagues have  
18 already talked about this potential switch from OEC in  
19 the -- the prosecutor to the AG.

20 But I wanted to talk -- I wanted you to  
21 explain just a little bit further your thoughts on how  
22 problematic it could be for that -- that switch to

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1       happen. So, we know that the language with regard to  
2       campaign finance violations is -- is really broad.

3               And it would allow an -- an openly partisan  
4       Attorney General to take over any cases involving  
5       candidates or campaigns. Do you -- one, I know you  
6       talked about this already, but you do feel like it  
7       would be an erosion of checks and balances potentially.

8               But I wanted to talk -- wanted you to touch on  
9       potentially how it would reduce neutrality. So, if you  
10      could touch on, kind of, just the issues with making  
11      that -- that transition from the OEC -- or the  
12      prosecutor to the Attorney General. We know he plays a  
13      part already but just can you -- can you touch on that  
14      a little bit more in more detail?

15              MS. TURCER: Well, Representative Humphrey to  
16      the Chair, unlike the previous speaker, I'm always a  
17      little bit hesitant to cast dispersions but what I do  
18      know is that humans don't always live up to their  
19      better angels.

20              And that is why I -- I really believe that  
21      when we think about enforcement, giving it to somebody  
22      who is elected, you know, statewide, whether they're

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1 Democrats or Republicans, that we're much better off  
2 giving it to a neutral panel that includes Democrats,  
3 Republicans, and Independents.

4 And that is the way that the campaign finance  
5 system is crafted right now. Now, I would also say,  
6 let's do what we can to beef up their ability to  
7 enforce, to follow the money, to actually live up to  
8 their potential.

9 REP. PETERSON: Continue.

10 REP. HUMPHREY: Thank you, Mr. Chairman. And  
11 one more question and I -- this just popped in my head  
12 as you were responding. But say HB 1 is passed into law  
13 and this transition takes place.

14 Do you -- or even while it was trying to go  
15 into the process of -- of taking place. Do you feel  
16 like there could be some type of oversight on top of  
17 the Attorney General? I don't know if that's possible,  
18 but do you feel like it could be an oversight to go  
19 over top of the Attorney General? And what do you think  
20 that should be if -- if at all possible?

21 I'm just kind of trying to put this together  
22 in my brain. So, I know Representative Brown spoke

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1       about oversight before, basically saying that the  
2       Attorney General would have no oversight. Do you feel -  
3       - what type of panel, even besides the OEC, what --  
4       what would that oversight be? What would that look  
5       like, do you think?

6               MS. TURCER: Thank you -- thank you  
7       Representative, through the Chair, I've been thinking  
8       about this as problematic specifically giving it to the  
9       Attorney General and using the structures that we  
10      actually have in place.

11             I haven't thought a lot about well, how would  
12      you provide oversight to the Attorney General. Now,  
13      those might be some of the amendments that you all are  
14      considering.

15             And I again -- so, one of the things that  
16      always is a little bit of a challenge is I'm testifying  
17      on yesterday's version of House Bill 1 and -- and  
18      obviously, we can -- I can make suggestions based on  
19      amendments and -- but -- but I think the thing that I  
20      would highlight is it is preferable to use the standing  
21      Ohio Elections Commission to ensure that Ohio election  
22      law is, you know, followed and that they actually hand

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1       it off to a prosecutor.

2               I think that more independent process does  
3       work. It does make sense to, you know, to beef them up  
4       a little so that they can do a better job. But I would  
5       just keep that Attorney General, whoever he or she or  
6       they are out of the process.

7               REP. HUMPHREY: Thank you.

8               REP. PETERSON: Representative Skindell with a  
9       question.

10              REP. SKINDELL: Thank you, Mr. Chair. So, this  
11       House Bill 1, more so than the issue with the  
12       contribution or expenditure coming from a foreign  
13       entity, what it does do is radically change how we look  
14       at election law violations.

15              So, right now, as you know, we have the  
16       commission. The commission doesn't necessarily need to  
17       refer to a prosecutor, but they are so on a time  
18       schedule to deal with election matters because you've  
19       got an election coming up and the commission is  
20       designed to, kind of, resolve those things relatively  
21       quick.

22              It can find that there's not enough grounds

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1 and not go forward with an issue. They can find while  
2 maybe there's a violation, but we don't need to issue a  
3 fine. They can fine them, or they can find that it's  
4 serious enough. Then we refer it to the prosecutor.

5 Here, all matters dealing with these  
6 committees, a regular campaign committee, issue  
7 committee, all these committees, any violation must go  
8 to the Attorney General's office and the commission is  
9 divested of any say so in this.

10 Are you concerned about that?

11 MS. TURCER: Rep. Skindell to the Chair,  
12 clearly, I can see the possibility of an abuse of  
13 power. I also think, you know, one of the things -- you  
14 can start imagining all the different ways that someone  
15 might get in trouble.

16 Okay. So, this would be -- this would be an  
17 example -- you know, I picked the example of somebody  
18 is married to somebody who actually is not a U.S.  
19 citizen. So, that's an example of something that might  
20 go wrong.

21 Another kind of thing that might go wrong,  
22 let's pick a participant in last year's ballot measure.

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1 Let's pick the Catholic Church. Okay. So, let's suppose  
2 folks were throwing, you know, money into an area that  
3 was going to be spent on yard signs, etcetera.

4 So, you know, more independent expenditure  
5 than actually working its way to the campaign but,  
6 like, they were going to do that. Well, they might  
7 receive funds from somebody who just moved here, for  
8 example, from Spain.

9 Or they might have received some from somebody  
10 who's been around, you know, for many, many years and  
11 is a resident. So -- so, the -- those kind -- like,  
12 what I worry about -- what you were getting at, which  
13 is the must, you know, all of the things, like, we want  
14 to ensure that malicious foreign money is addressed but  
15 that we don't discourage civic participation.

16 And that we properly address the kinds of  
17 problems that can become before the Elections  
18 Commission where they, you know, will say don't do  
19 that. Or they will, perhaps, do a fine. But so, it's  
20 one of the reasons I like the Election Commission  
21 process.

22 Because there are things that are big misdeeds



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1 and then there are things that are small. And,  
2 actually, when you're at the Elections Commission -- I  
3 don't know if any of you have gone recently. You know,  
4 often it's somebody who just didn't -- like, their  
5 treasurer let them down or something, kind of, went  
6 wrong. Or they didn't understand the rules.

7 And so, this is another reason for clarity and  
8 taking time. So, it's super clear what exactly it is  
9 that you want to pass. Thank you.

10 REP. PETERSON: Representative -- I'm sorry.  
11 Did you have a follow up?

12 REP. SKINDELL: Yes, I do.

13 REP. PETERSON: Continue.

14 REP. SKINDELL: So, the referral to the  
15 Attorney General are just not the -- the foreign  
16 contributions or expenditure. It is every violation of  
17 an election law. So, even if you don't have a  
18 disclaimer on a yard sign or a piece of literature, you  
19 failed to put it on for some reason, minor violations,  
20 those are even must be referred to the Attorney General  
21 if it deals with one of these committees. Do you think  
22 it bogs down the system?

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1 MS. TURCER: Rep. Skindell, Chair, clearly it  
2 would bog down the system. Clearly, it's problematic.  
3 It could also become hyper partisan and polarizing and  
4 let's -- let's use the Ohio Elections Commission in the  
5 way that it was intended.

6 And let's do what we can so they can better do  
7 their job.

8 REP. PETERSON: Continue.

9 REP. SKINDELL: Thank you, Mr. Chair. One of  
10 the other concerns I have is that under the current  
11 system with the Elections Commission, the Commission is  
12 under a timetable. They -- they're mandated to have a  
13 hearing by a certain timeframe and move things along  
14 and -- and render a decision one way or another.

15 There is no timeframe, no opportunity for a  
16 hearing of a -- of a committee before the Attorney  
17 General. So, there's no restrictions on the Attorney  
18 General, how long they hold the matter or deal with the  
19 matter and keep the cloud over a committee.

20 I was wondering if you have any thoughts about  
21 the -- the failure to have a -- a timeframe for these  
22 matters to be resolved once they're referred to the

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1 Attorney General?

2 MS. TURCER: Thank you, Representative, Chair.  
3 So, what is clear is that the structure that we have  
4 has a clear plan. And actually, giving this to the  
5 Attorney General could mean that, in fact, we were --  
6 you know, somebody who had something going on or  
7 something going wrong might have to wait a really long  
8 time and just be worried.

9 Now, what I want to highlight again is that  
10 the Ohio Election Commission has a structure. They have  
11 a plan for how things are -- are created and, you know,  
12 it's already part of Ohio law so you could spend some  
13 time thinking about how you might want to beef that up,  
14 make some changes so that you're not discouraging  
15 participation, but you are getting at what you're  
16 mostly worried about.

17 REP. PETERSON: Representative Grim with a  
18 question.

19 REP. GRIM: Hold on. Of course, my thing pops  
20 off. Thank you so much, Chair and thank you so much for  
21 being here. So, you've touched on a couple of things,  
22 being concerned about participation in the process.

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1                   So, I kind of wanted to touch more on that and  
2                   elaborate more on that. So, changes with -- to the  
3                   process with an emergency clause that's going to come  
4                   immediately after the governor signs it.

5                   So, there's new rules to confuse folks. You  
6                   know, they're not going to understand. You know, it --  
7                   it's almost June. There's ballot initiatives going on  
8                   already so it's going to change -- it's going to change  
9                   that process.

10                  So, in your opinion, because we're enacting  
11                  these in a short period of time, what are the  
12                  consequences of changing the rules in the democratic  
13                  participation process?

14                  MS. TURCER: Yes, thank you Representative to  
15                  the Chair. So, there is a benefit to planning for the  
16                  following year. Meaning there -- there's a benefit to  
17                  not actually passing election related legislation  
18                  during, you know, during this kind of election year.

19                  So that the following year people can get  
20                  prepared. They better understand things. And, you know,  
21                  when we've had a history of avoiding changes to  
22                  election law in, you know, even numbered years.

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1                   And actually, that's very good policy and good  
2                   practice. And I would, you know, encourage you all to  
3                   think about, like, I -- I realize I desperately want  
4                   transparency. I also want you all to do it right.

5                   So, that there's both urgency, right, but also  
6                   you want to take the time. And this special session,  
7                   it's just for a few weeks. And that I am worried about.

8                   REP. GRIM: Thank you.

9                   REP. PETERSON: Representative Brown  
10                  with a question.

11                  REP. BROWN: Thank you, Chair. The  
12                  part of this bill that concerns me the most is the  
13                  bestowing of power upon the Attorney General and in a  
14                  form that I think is unmatched in my recollection.

15                  And, you know, one -- the bill specifically  
16                  provides that the Commission shall, which is mandatory,  
17                  refer the matter to the Attorney General unless the  
18                  Attorney General is a witness, a victim or quote,  
19                  otherwise involved in the matter, quote.

20                  And I think you were here yesterday when I  
21                  asked the sponsor of the bill what does that mean? And  
22                  he said -- and he thought it meant that the Attorney

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1 General would police himself.

2 And, you know, in Lincon's first inaugural  
3 address when he was trying to convince the northerners  
4 and southerners to stick together, he appealed to the  
5 better angels of their nature.

6 And I guess Representative Seitz was trying to  
7 appeal to the better angels of the Attorney General's  
8 nature in that he would comport himself with that --  
9 with that degree of probity. Do you believe that this  
10 is a weakness in the bill that may be exploited for  
11 political ends by any, possibly any Attorney General in  
12 the future?

13 MS. TURCER: Rep. Brown, Chair, I was  
14 very careful not to -- to identify all the different  
15 ways that things could go wrong if you gave this kind  
16 of power to the Attorney General.

17 But we do know that vesting this kind  
18 of power can create problems. It -- it's hard to live  
19 up to your better angels. It's hard not to worry about  
20 your friends. It's hard not to worry about your  
21 political party. It's -- it's hard to stand up to  
22 pressure from donors.

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1                   When you start to think about all of  
2                   the reasons why the Attorney General isn't the right  
3                   person, you can think about it for right now but that's  
4                   not -- we shouldn't be worrying about right now.

5                   We should be thinking about well, we  
6                   don't know who an Attorney General will be in 10 years.  
7                   And we need to be thinking about this is a lot of power  
8                   to give when we have a proper structure for dealing  
9                   with problems, which has Republicans, Democrats and  
10                  Independents.

11                  REP. PETERSON: Representative Hoops  
12                  with a question.

13                  REP. HOOPS: Thank you -- thank you,  
14                  Mr. Chairman and appreciate your testimony. What --  
15                  what I'm looking at here is a bill because it seems  
16                  like we're throwing a lot of stuff on the Attorney  
17                  General that he doesn't have.

18                  I mean, I -- I can understand, you  
19                  know, if there's still issues on a local level, county  
20                  level, whether it's issues or a candidate, they go back  
21                  to the county prosecutor. The issues that the Attorney  
22                  General would deal with, if you continue to read what

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1 Representative Brown read.

2 And then if you continue to read it, it's  
3 issues, it's statewide issues, it's statewide  
4 candidates. I mean, if it wasn't the Attorney General,  
5 who -- who would do that, you know, on a statewide  
6 issue?

7 And then if it's people that are from outside  
8 the state, so, I guess, is that the way you're  
9 understanding it, or do you really believe that he's  
10 also going to be -- he or she is going to be involved  
11 with the local issues too?

12 MS. TURCER: Rep. Hoops, Chair, so, what is  
13 clear is that the state issues are the most  
14 controversial issues. They are the issues that are the  
15 ones that are going to test the better angels, to use  
16 the best word.

17 So, I wouldn't look at -- when you think about  
18 all of the statewide races we have and the pressure  
19 that's involved with that, it makes sense to hand this  
20 over to the Ohio Elections Commission so all statewide  
21 elections, all state issues, it makes sense to actually  
22 hand that to the proper -- the folks that already have



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1 it, which is the Ohio Elections Commission and then the  
2 prosecutors who do this for a living.

3 So -- so, this is a process that has worked  
4 here in Ohio for a while. You know, yes, I do believe  
5 we do need to beef up and give the Election Commission  
6 more resources but there's no reason to -- to break  
7 what we have. It works.

8 REP. HOOPS: Ms. Turcer, I guess I just want  
9 to make sure you understand that the Attorney General  
10 is not going to be dealing with local issues and -- and  
11 county issues. It's more of just the statewide issues.  
12 I mean it -- it just makes it sound like he's going to  
13 be -- he or she is going to be involved with  
14 everything, which is not the case.

15 MS. TURCER: Rep. Hoops to the Chair, I do  
16 understand that we're only talking about state level  
17 things.

18 REP. HOOPS: Okay. Okay.

19 MS. TURCER: But state level things are the  
20 most controversial. They are the ones that could put a  
21 lot of pressure on the Attorney General not to do the  
22 right thing.

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1 REP. HOOPS: Mr. Chairman.

2 REP. PETERSON: Follow up.

3 REP. HOOPS: I -- I guess I disagree with -- I  
4 think we have a process in place because we found just  
5 this past year when there were things that weren't  
6 legal and right those individuals have paid dearly for  
7 that.

8 And so, I think there's a process if, you  
9 know, I -- I have a lot of trust in our -- in our AG. I  
10 think he -- he or she is doing a good job. Now, there  
11 have been some AGs in the past who have gotten into  
12 trouble, and they paid for it, too.

13 I think the process does work. Now, maybe we  
14 need to beef up some of those things, but I think we  
15 have a process in place that if somebody does something  
16 wrong, you know, that person is going to pay.

17 Eventually, they're going to be found out  
18 because of groups like yourself and other groups are,  
19 I'm sure, watching, you know, very closely on how this  
20 is all going to work out.

21 MS. TURCER: Representative to the Chair, I  
22 think when you think about the Attorney General, you're

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1 thinking about the current Attorney General. You need  
2 to be thinking more broadly because we don't know.

3 You know, leaving it to one person rather than  
4 a panel, and then when we think about the transparency  
5 piece, you know, I think it's really important to -- to  
6 say to ourselves, you know, to uncover that House Bill  
7 6 scheme and to think about all the permutations of  
8 dark money and all of the different groups, it took an  
9 FBI investigation.

10 It shouldn't take an FBI investigation to  
11 actually identify things before they spin wildly out of  
12 control, which is why I'm encouraging you to create  
13 greater transparency in the system, in general, and to  
14 really focus on, you know, it's been four years since  
15 Larry Householder was arrested and we've gotten more  
16 and more information.

17 It really, truly is time to act. I -- much as  
18 I'm encouraging to act, I also want you to be  
19 thoughtful and take your time. And I -- I realize, you  
20 know, I'm asking you to weigh things and do this to get  
21 -- get busy, but also to get busy thoughtfully so that  
22 there are not any unintended consequences, which is

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1       what I'm worried about.

2               REP. PETERSON: Chairman has a question. So,  
3       yes, thank you for just -- I think -- I appreciate the  
4       -- your testimony. I think if the sponsor was here, the  
5       sponsor would talk about he certainly is weighing the  
6       concerns of prosecutors and trying to find that  
7       appropriate balance as you have suggested.

8               I just want to walk through my understanding  
9       to make sure you and I agree on how we think this would  
10      happen. So, yes, in the bill the Attorney General has  
11      much greater powers than he did before.

12              But -- but my understanding is the Attorney  
13      General, in this role, would be acting as a prosecutor.  
14      So, the Attorney General can -- would bring a charge  
15      before a judge, which would call a grand jury. And the  
16      grand jury would decide whether there's enough evidence  
17      to move forward with a trial or not.

18              And then -- and then the judge, if the grand  
19      jury says yes there is evidence, then it would move  
20      forward to a -- to a jury trial or a judge trial,  
21      depending on the situation. So, I -- and that -- that  
22      process may not be the best process.

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1                   And that's what this discussion is about. And  
2                   that's what, frankly, the sponsors are working on right  
3                   now. But I just didn't want there to be any  
4                   misunderstanding that, you know, the Attorney General  
5                   can't put somebody in jail or fine them millions of  
6                   dollars.

7                   He would have to go before a judge and a jury  
8                   like any other case. Is that -- do you under -- have  
9                   that same understanding?

10                  MS. TURCER: So, Chair, I do -- I do  
11                  understand, you know, everybody's, you know, innocent  
12                  until proven guilty and there's a prosecutor and  
13                  there's -- I think -- but there can be investigative  
14                  abuses. And that is what I'm concerned about.

15                  And I also did want to be super clear that,  
16                  you know, I'm here to help. You know, I -- you know, I  
17                  -- I am looking forward to seeing the amendments you're  
18                  considering. I'm looking forward to all the details.  
19                  And I am here to help.

20                  I -- I want to ensure that Ohioans have, you  
21                  know, the ability to follow the money. And then also  
22                  that we have a campaign finance system that works as

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1 well as possible and doesn't discourage participation  
2 and gets at, you know, the misdeeds.

3 REP. PETERSON: Great. Thank you.  
4 Representative Brown.

5 REP. BROWN: Thank you. Thank you, Chair. The  
6 Chair's question raised a question in me. The -- the  
7 Attorney General would have, under this bill, if it  
8 became law, prosecutorial powers, which would include  
9 the prosecutor's broad discretion to determine what --  
10 what matters to investigate and prosecute or not. And  
11 so, there would be a great amount of -- and a broad  
12 amount of discretion granted to the Attorney General as  
13 any prosecutor has to make those determinations as to  
14 who they will go after and who they will not go after.  
15 Is that correct?

16 MS. TURCER: That is -- I'm sorry. I'm not  
17 following procedure.

18 REP. PETERSON: You're doing great.

19 MS. TURCER: You didn't follow procedure. It  
20 wasn't a problem. All right. There we go.

21 REP. PETERSON: But watch your -- but watch  
22 your language. I do have grandchildren watching.

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1 MS. TURCER: It never occurred to me -- okay.  
2 So, Rep. Brown to the Chair, that is absolutely correct  
3 and I -- I want to be super clear, I'm worried about  
4 abuse of the process not necessarily in 2024 but years,  
5 you know, now and years later.

6 REP. PETERSON: Thank you. Are there other  
7 questions for the witness? Thank you for your  
8 testimony.

9 MS. TURCER: Well, a big thank you for  
10 creating time for the public to speak.

11 REP. PETERSON: That's what we're here for.  
12 There's extensive written testimony. I encourage you to  
13 review it. I don't have anything else but -- but you  
14 might have an amendment or two.

15 What other business is there for the  
16 committee? Representative Humphrey.

17 REP. HUMPHREY: Mr. Chairman, thank you, Mr.  
18 Chairman. I move to amend House Bill 1 with amendment  
19 226 and I'd like to explain.

20 REP. PETERSON: Would you describe the -- the  
21 amendment is in order. Would you describe the  
22 amendment, please?

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1           REP. HUMPHREY: Thank you, Mr. Chairman. This  
2 amendment would remove the emergency clause from the  
3 bill allowing us for more testimony and deliberation.  
4 Yesterday you heard Representative Seitz agree that the  
5 emergency clause needed to be removed to secure  
6 necessary votes for passage.

7           The amendment will accomplish exactly what the  
8 sponsor requested, the removal of the emergency clause.  
9 Now, due to the vagueness and lack of specificity --  
10 specificity in the bill, it is important that we have  
11 more time in deliberation.

12           Eliminating the emergency clause will provide  
13 this time. I would say the only reason why the governor  
14 called for this special session in the first place was  
15 because of the Biden fix.

16           Now that we no longer need the Biden fix,  
17 therefore, there is no need to rush the process of  
18 House Bill 1. Tracking money donated to ballot  
19 initiatives and referendums from foreign nationals is  
20 not easy and this legislation will not effectively  
21 address the issue of dark money.

22           Instead, these funds will likely be redirected



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1 to 501(c)(4) organizations where the money remains  
2 ambiguous as was famously seen in the Householder case.  
3 We all agree that the foreign money should not  
4 influence statewide issues.

5 However, we must do this correctly by  
6 thoroughly reviewing all aspects in refining the  
7 processes to make the system fair. The emergency clause  
8 specifically targets upcoming ballot initiatives such  
9 as the citizens, not politicians re-districting a  
10 minimum wage increase. With that, again, I move to  
11 amend House Bill 1 with amendment 226.

12 REP. PETERSON: Thank you. Chair recognizes  
13 Representative Thomas for a motion.

14 REP. THOMAS: Chair Peterson, I move to lay  
15 amendment 226 on the table.

16 REP. PETERSON: Will the clerk please call the  
17 roll.

18 CLERK: Chair Peterson.

19 REP. PETERSON: Yes.

20 CLERK: Vice Chair Thomas.

21 VICE CHAIR THOMAS: Yes.

22 CLERK: Ranking Member Humphrey.

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1 REP. HUMPHREY: [inaudible].  
2 CLERK: Representative Brown.  
3 REP. BROWN: [inaudible].  
4 CLERK: Representative Dobos.  
5 REP. DOBOS: Yes.  
6 CLERK: Representative Grim.  
7 REP. GRIM: No.  
8 CLERK: Representative Hoops.  
9 REP. HOOPS: Yes.  
10 CLERK: Representative Isaacsohn.  
11 REP. ISAACSOHN: Yes.  
12 CLERK: Representative Oelslager.  
13 REP. OELSLAGER: Yes.  
14 CLERK: Representative Pizzulli.  
15 REP. PIZZULLI: Yes.  
16 CLERK: Representative Skindell  
17 REP. SKINDELL: No.  
18 CLERK: Representative Swearingen.  
19 REP. SWEARINGEN: Yes.  
20 REP. PETERSON: With appropriate votes the  
21 amendment -- the amendment is laid on the table.  
22 Representative Isaacsohn with a motion.

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1 REP. ISAACSOHN: Thank you, Chairman. I move  
2 to amend House Bill 1 with amendment 2224.

3 REP. PETERSON: The amendment is in in order.  
4 Would you like to describe it.

5 REP. ISAACSOHN: It would be my pleasure.

6 REP. PETERSON: Let's stick to the amendment,  
7 please.

8 REP. ISAACSOHN: Yes. Well, the amendment that  
9 I'm proposing is a result of the fact that this is not  
10 about fundamentally getting the president on the  
11 ballot.

12 That's been clear. It is not about banning  
13 foreign money. That's been clear. This bill is about a  
14 power grab for the Attorney General.

15 And so, what this amendment would do would put  
16 this bill in line with what the sponsor said it was  
17 about yesterday, what the Chair has indicated the bill  
18 is truly about.

19 If this bill would actually be about  
20 strengthening state law to be in line with existing  
21 federal law to ban foreign money, it would be a very,  
22 very, very simple bill.

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1           Because we have an existing law banning  
2       foreign contributions and foreign involvement in  
3       candidate campaigns. None of us can accept foreign  
4       contributions. We have existing ban on campaign  
5       committees.

6           So, all we would need to do, if that was the -  
7       - truly the intended purpose of the bill would be to  
8       add a portion of the sentence that said, and ballot  
9       initiatives.

10          But we have 20 pages in this bill that are  
11       doing something else, which tell us exactly what the  
12       bill is actually about.

13          It's not -- we're not here to put the  
14       president on the ballot and we're not here to ban  
15       foreign money.

16          If we were this bill would look very  
17       different. So, what this amendment does is get rid of  
18       the power grab aspect.

19          We have an independent prosecutor who is  
20       already responsible for enforcing the foreign money ban  
21       in our politics. They -- they do that enforcement  
22       today. They did it last year. They'll do it later this

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1 year as it relates to candidates and campaign  
2 committees.

3 And that is the appropriate use of an  
4 independent prosecutor that are outside -- they're  
5 outside of state politics.

6 So, what this amendment would do would be to  
7 maintain the power to enforce the existing laws against  
8 foreign contributions in an independent prosecutor.  
9 Thank you, Chair.

10 REP. PETERSON: Thank you. Chair recognizes  
11 Vice Chairman Thomas for a motion.

12 VICE CHAIR THOMAS: Chair -- Chair Peterson, I  
13 move to lay amendment 2224 on the table.

14 REP. PETERSON: Thank you. Will the clerk  
15 please call the role.

16 CLERK: Chair Peterson.

17 REP. PETERSON: Yes.

18 CLERK: Vice Chair Thomas.

19 VICE CHAIR THOMAS: Yes.

20 CLERK: Ranking Member Humphrey.

21 REP. HUMPHREY: No.

22 CLERK: Representative Brown.

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1 REP. BROWN: No.

2 CLERK: Representative Dobos.

3 REP. DOBOS: Yes.

4 CLERK: Representative Grim.

5 REP. GRIM: No.

6 CLERK: Representative Hoops.

7 REP. HOOPS: Yes.

8 CLERK: Representative Isaacsohn.

9 REP. ISAACSOHN: Yes.

10 CLERK: Representative Oelslager.

11 REP. OELSLAGER: Yes.

12 CLERK: Representative Pizzulli.

13 REP. PIZZULLI: Yes.

14 CLERK: Representative Seitz. Representative

15 Skindell

16 REP. SKINDELL: [inaudible].

17 CLERK: Representative Swearingen.

18 REP. SWEARINGEN: Yes.

19 REP. PETERSON: Thank you. With appropriate

20 votes the amendment is laid on the table. And as I --

21 as I -- I'll share with everybody watching, as I told

22 Representative Isaacsohn my hope and that there will be

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1 an amendment that looks more like his than his  
2 amendment tomorrow.

3 So, I hope we are heading in that direction.  
4 So, no further business before that. That concludes the  
5 first hearing on House Bill 1. Now, we call up House  
6 Bill 2.

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 83 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio House Government Oversight Committee - 5-  
29-2024 - Special Session)



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# **Exhibit K**



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# Transcript of Testimony of Ohio House Government Oversight Committee - Special Session 053024

**Date:** May 30, 2024

**Case:** 2024 Ohio Campaign Finance Litigation

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TESTIMONY OF THE

8

OHIO HOUSE GOVERNMENT OVERSIGHT COMMITTEE

9

MAY 30, 2024

10

SPECIAL SESSION

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Job No.: 540606

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Pages: 1 - 16

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Transcribed by: Christian Naaden

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P R O C E E D I N G S

REP. PETERSON: We have two items of business before us. We'll start with House Bill 1. The Chair moves a sub-bill without objection.

MEMBER: Objection.

REP. PETERSON: We have an objection. And the committee will stand at ease while we round up some members. Thank you. There was an objection to the sub-bill. Clerk, please call the role.

CLERK: Chair Peterson.

REP. PETERSON: Yes.

CLERK: Vice Chair Thomas.

VICE REP. THOMAS: Yes.

CLERK: Ranking Member Humphrey.

REP. HUMPHREY: No.

CLERK: Representative Brown.

REP. BROWN: No.

CLERK: Representative Dobos.

REP. DOBOS: Yes.

CLERK: Representative Grim.

REP. GRIM: No.

CLERK: Representative Hoops.

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1 REP. HOOPS: Yes.

2 CLERK: Representative Isaacsohn.

3 REP. ISAACSOHN: No.

4 CLERK: Representative Oelslager.

5 REP. OELSLAGER: Yes.

6 CLERK: Representative Pizzulli.

7 REP. PIZZULLI: [inaudible].

8 CLERK: Representative Seitz.

9 REP. SEITZ: Yes.

10 CLERK: Representative Skindell

11 REP. SKINDELL: No.

12 REP. PETERSON: The motion passes. The sub-

13 bill is now part of the bill. I would now recognize

14 Representative Seitz for an amendment, that technical

15 amendment.

16 REP. SEITZ: Yes, Mr. Chair. I move to amend

17 substitute House Bill 1 with amendment 2259, which is a

18 [inaudible] amendment simply clarifying that whatever

19 is referenced [inaudible] commission.

20 REP. PETERSON: Without objection can we add

21 the amendment? Seeing no objection, the amendment

22 becomes part of the bill. Thank you. Now, would

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1 Representative Seitz be willing to describe this sub-  
2 bill?

3 REP. SEITZ: Sure. Sure. The - there, I think  
4 seven important points to make. The first important  
5 point to make is I was right that we were working on a  
6 bill that would be even shorter than the 21 page bill  
7 we looked at couple days ago.

8 And certainly, as Representative Brown noted a  
9 couple days ago, much shorter than the 200 and some  
10 page bill that came over from the Senate. So, the first  
11 point is the new bill puts everything in a new code  
12 section and is only five pages long.

13 So, we have taken what I said to heart that  
14 the shortest distance between two points is a straight  
15 line. And we're being very concise and clear in what  
16 we're doing here in the bill.

17 Second, there were about, let's see, six -  
18 yeah, six points of difference between us and the  
19 Senate that had to be negotiated. And we've been very  
20 busy doing that.

21 The first point is penalties. The Senate  
22 wanted to make everything a felony of the fifth degree

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1 including the aiding and abetting section. We were able  
2 to negotiate a compromise whereby the aiding and  
3 abetting section will be a M1 only. The other penalties  
4 will be an M1 on the first offense graduating to a F5  
5 on a repeat offense. So, that was the compromise there.

6 The enforcement language very, very similar to  
7 what we saw on Tuesday. I think probably you could  
8 argue that this, sort of, makes it even clearer that  
9 the Attorney General has the power to investigate and  
10 enforce regardless of whether it's been through the  
11 mill a the OEC or not.

12 In the interest of getting prompt enforcement,  
13 we all know that the OEC takes its jolly good time and  
14 frequently is unable to adjudicate anything prior to an  
15 election. So, that's why the enforcement section, I  
16 would say, is different than the bill we looked at the  
17 other day but in minor ways and - and to the Senate's  
18 satisfaction on that point.

19 The Senate wanted to include reference to a  
20 continuing association. I'll bet you there's not five  
21 people in this room know what that is but a continuing  
22 association is any form of business entity that is

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1 organized under Internal Revenue Code Section  
2 501(c)(3), 501(c)(4), 501(c)(6).

3 Their primary purpose is really not political.  
4 They - in fact they are not allowed to engage in  
5 politics under current law, federal and state. They are  
6 not allowed to give money to candidates or urge - and  
7 foreign nationals are not allowed to do that now  
8 through a continuing association.

9 We're expanding that to include ballot - state  
10 ballot issues, which is the thrust of the bill but we  
11 are modifying the words continuing association by words  
12 to the affect of to the extent allowed by law or the  
13 constitution.

14 There being some question, and I think I  
15 alluded to this a couple days ago, as to the extent to  
16 which Citizens United would trump the foreign nationals  
17 provision or the foreign nationals provision would  
18 subsist regardless of the Citizens United decision.

19 And, as you all know, the Citizens United  
20 decision gave 501(c)(4)s pretty well the untrampled  
21 ability to advocate on behalf of issues as a  
22 constitutional matter. And then so that's why we had

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1       been somewhat reluctant to put continuing associations  
2       into this bill but we've now done it through a - I  
3       think a rather artful compromise, which is but it's in  
4       there, to the maximum extent permitted by law or the  
5       constitution.

6               You will recall that our bill a few days ago  
7       adhered to the federal law definition of foreign  
8       national. That was a major subject of dispute with the  
9       Senate.

10              They had wanted to change our definition of  
11       foreign national to make the prohibition more complete  
12       and prevent even a lawful permanent residence of the  
13       United States, who were non residents or, who are - I'm  
14       sorry, not citizens from being able to contribute.

15              We - we thought the better part of prudence  
16       was to retain our adherence to the federal definition  
17       of a foreign national. You will note the next point  
18       that we also prevailed over their desire - their  
19       original desire was to make this the new law applicable  
20       not only to state ballot issue - statewide ballot  
21       issues but also to local ones as well.

22              But we prevailed and convinced them that for

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1 now at least let's see how this works out at the  
2 statewide ballot issue level before we go complicating  
3 things by extending the principle to all manner of  
4 local - local ballot issues that might exist for local  
5 school levies or liquor license - liquor permits or so  
6 forth.

7 The - also, you will not that there is no  
8 treasurer certification language in this abbreviated  
9 bill. That was a point of contention as well. And I had  
10 alluded to that on Tuesday and said that we were still  
11 talking about it.

12 But we have in this bill not imposed any sort  
13 of criminal penalty on - on the treasurers of these  
14 various campaigns in the interest of making sure people  
15 are willing to serve as treasurer because we all know  
16 that the treasurer typically does not solicit money.

17 The treasurer simply is the keeper of the  
18 money and sort of a green eyeshade accountant type  
19 person. So, that is the summary of the - where we ended  
20 up, where we landed. I feel reasonably confident that  
21 the Senate is prepared to agree with this if the House  
22 will vote for this. And we can then be done with - done



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1 with this and move on.

2 REP. PETERSON: Thank you for that summary.  
3 Representative Isaacsohn, you have an amendment.

4 REP. ISAACSOHN: Yes, Mr. Chair. I would like  
5 to amend Sub-Bill 1 with amendment 2261.

6 REP. PETERSON: The amendment is in order.  
7 Would you like to describe the amendment?

8 REP. ISAACSOHN: I would like to describe the  
9 amendment. And respond a little bit to the bill sponsor  
10 and what we just heard about the new sub-bill.

11 REP. PETERSON: Let's - let's describe the  
12 amendment and I'll take a comment after.

13 REP. ISAACSOHN: Okay. The amendment is in  
14 response to what this bill does. And I want to be clear  
15 about what the bill is doing. Currently, an allegation  
16 of something that is already illegal, which is foreign  
17 contributions to our political campaigns, has to be  
18 investigated by the Ohio Elections Commission, who are  
19 professionals, who are bipartisan, who have a job to  
20 do, which is exactly to look into election integrity.

21 That's what they're there for. The notion that  
22 they take their time adjudicating complicated issues is

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1 a problem, is outrageous. That's how the court system  
2 works. The idea that we would have - that they're  
3 taking too long.

4 So, we want to give arbitrary and expedited  
5 authority to a law - to a single law enforcement  
6 official, the Attorney General. That is what this bill  
7 is doing. It is saying any voter in Ohio - any elector  
8 can allege a violation of a law that is poorly drafted,  
9 overly broad, incredibly vague, very confusing, hard to  
10 understand.

11 Can allege a violation of that law and then  
12 that allegation can be directly and immediately  
13 investigated and prosecuted by the Attorney General.  
14 And by the way, that allegation is not just in state  
15 ballot initiatives it's into any candidate campaign,  
16 any political action committee, any candidate  
17 committee.

18 So, if someone voted the wrong way for Speaker  
19 of the House, for example, their campaign committee  
20 might face some allegations that immediately get  
21 investigated with no Ohio Elections Commission  
22 interference. No taking the time to actually look into

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1 and investigate the problem by bipartisan  
2 professionals.

3 That's what the bill is doing. So, what my  
4 amendment would do is keep the power to investigate and  
5 prosecute these alleg - these violations, not just the  
6 allegations, the violations, in the hands of an  
7 independent prosecutor that is outside the realm of  
8 state politics.

9 Because when we give the power directly to the  
10 Attorney General, this Attorney General has already  
11 been nefariously involved in trying to prevent ballot  
12 initiatives to repeal unpopular laws, specifically  
13 House Bill 6, as we've heard in federal trials.

14 He is being sued by the various entities  
15 trying to bring forward ballot initiatives. And so, he  
16 has a vested interest in pushing back and fighting  
17 back. He's a statewide political actor.

18 So, to give this kind of unbridled power to  
19 one person, who has already proved that he's willing to  
20 use that power to political aims, is deeply misguided.  
21 The amendment would keep the power in the hands of an  
22 independent prosecutor.

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1           So, that is what this amendment does. I look  
2 forward to commenting further, as the Chair has  
3 indicated but I'll - I'll stop now on this amendment.

4           REP. PETERSON: Clerk, please call the role.

5           CLERK: Chair Peterson.

6           REP. PETERSON: I'm sorry. This is on the  
7 amendment. Let me clarify. I would look to my Vice  
8 Chairman for a motion.

9           VICE REP. THOMAS: Chair Peterson, I move to  
10 lay amendment 2261 on the table.

11           REP. PETERSON: Thank you. Now will the clerk  
12 please call the role on the tabling motion.

13           CLERK: Chair Peterson.

14           REP. PETERSON: Yes.

15           CLERK: Vice Chair Thomas.

16           VICE REP. THOMAS: Yes.

17           CLERK: Ranking Member Humphrey.

18           REP. HUMPHREY: No.

19           CLERK: Representative Brown.

20           REP. BROWN: No.

21           CLERK: Representative Dobos.

22           REP. DOBOS: Yes.

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1 CLERK: Representative Grim.  
2 REP. GRIM: No.  
3 CLERK: Representative Hoops.  
4 REP. HOOPS: Yes.  
5 CLERK: Representative Isaacsohn.  
6 REP. ISAACSOHN: No.  
7 CLERK: Representative Oelslager.  
8 REP. OELSLAGER: Yes.  
9 CLERK: Representative Seitz.  
10 REP. SEITZ: Yes.  
11 CLERK: Representative Skindell  
12 REP. SKINDELL: No.  
13 REP. PETERSON: Thank you. The motion is laid  
14 on the table.  
15 Now, we're back to the original House Bill 1  
16 as amended in the sub-bill. Chair recognizes  
17 Representative Seitz.  
18 REP. SEITZ: Thank you. Mr. Chairman, I move  
19 that the committee favorably report substitute House  
20 Bill 1 to the Committee on Rules and Reference leaving  
21 the road open at the discretion of the Chair.  
22 REP. PETERSON: We've got a motion. Clerk,

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1 please call the role.

2 CLERK: Chair Peterson.

3 REP. PETERSON: Yes.

4 CLERK: Vice Chair Thomas.

5 VICE REP. THOMAS: Yes.

6 CLERK: Ranking Member Humphrey.

7 REP. HUMPHREY: No.

8 CLERK: Representative Brown.

9 REP. BROWN: No.

10 CLERK: Representative Dobos.

11 REP. DOBOS: Yes.

12 CLERK: Representative Grim.

13 REP. GRIM: No.

14 CLERK: Representative Hoops.

15 REP. HOOPS: Yes.

16 CLERK: Representative Isaacsohn.

17 REP. ISAACSOHN: No.

18 CLERK: Representative Oelslager.

19 REP. OELSLAGER: Yes.

20 CLERK: Representative Seitz.

21 REP. SEITZ: Yes.

22 CLERK: Representative Skindell

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REP. SKINDELL: No.

REP. PETERSON: With sufficient votes the  
House Bill 1 passes.

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 15 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio House Government Oversight Committee - 5-30-2024 - Special Session)



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# **Exhibit L**





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# Transcript of Testimony of Ohio House of Representatives - Special Session 053024

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TRANSCRIPT OF VIDEO-RECORDED

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TESTIMONY OF THE

8

OHIO HOUSE OF REPRESENTATIVES

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MAY 30, 2024

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SPECIAL SESSION

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20 Job No.: 540606

21 Pages: 1 - 43

22 Transcribed by: Christian Naaden

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P R O C E E D I N G S

REP. STEPHENS: Reports of standing and select committees and bills for second consideration.

CLERK: Representative Humphrey submitted the following report. Standing Committee on Government Oversight which is for House Bill 1. Representative Seitz having the same consideration, reports back as a substantive bill, recommends its passage.

Representative Humphrey submitted the following report. Standing Committee on Government Oversight, which is for House Bill 2. Representative Dobos having the same consideration, reports back and recommends its passage.

REP. STEPHENS: Motions and resolutions. Bills for third consideration.

CLERK: Substitute House Bill 1. Representative Seitz to enact the Revised Code to modify the campaign finance law regarding foreign nationals and ballot issues.

REP. STEPHENS: Would the gentleman please --

CLERK: Please come to order.

REP. STEPHENS: First of all, would the

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1 gentleman please come to order? Would the gentleman  
2 please state the constitutional provision, law or rule  
3 that is being violated.

4 CLERK: Rule 82, this is a motion that needs  
5 to be recognized as a motion for timely manner.

6 REP. STEPHENS: No member has been recognized  
7 to make a motion, therefore the motion to the point of  
8 order is out of order. The question is shall the bill  
9 pass? The clerk will read the title of the bill,  
10 please.

11 CLERK: Substitute House Bill 1.  
12 Representative Seitz to enact the Revised Code to  
13 modify the campaign finance law regarding foreign  
14 nationals and ballot issues.

15 REP. STEPHENS: The question is shall the bill  
16 pass? The Chair recognizes Representative Seitz.

17 REP. SEITZ: Thank you, Mr. Speaker. I rise  
18 today in support of amended substitute House Bill 1 of  
19 the special session. Hopefully today we will, by the  
20 conclusion of today's events, satisfy Governor DeWine's  
21 call for a special session to deal with the two  
22 questions that he posed to us.

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1           It has been a long and arduous journey to  
2 attempt to grapple with this complex subject of House  
3 Bill 1 in a way that meets with the tacit or express  
4 approval of both Chambers. A lot of lawyers have been  
5 involved.

6           That makes this very much a lawyer's bill. I  
7 will just hit the highlights in the interest of not  
8 giving everybody a free hour of CLE.

9           What we are doing here is banning foreign  
10 nationals, directly or indirectly, through any person  
11 or entity, from making contributions, expenditures, or  
12 independent expenditures in support of or opposition to  
13 candidates or ballot issues, including banning the  
14 making of a disbursement for producing an  
15 electioneering communication.

16           The bill also clarifies that the ban applies  
17 to issue campaigns, regardless of whether the ballot  
18 issue or question has yet been certified to appear on  
19 the ballot.

20           The bill extends to continuing associations,  
21 as well as campaigns, campaign funds, and other  
22 entities engaging in campaigns. And it prohibits them

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1 from knowingly soliciting, accepting, or receiving any  
2 funds from a foreign national, and bans them from  
3 spending money if they know it was received from a  
4 foreign national.

5 And in the case of continuing associations,  
6 that would apply to the maximum extent permitted by law  
7 or the Constitution, there still being some residual  
8 question as to the General Assembly's power to regulate  
9 this aspect of a continuing association's activities.

10 The bill criminalizes violations of the  
11 solicitation, acceptance, or receiving, and  
12 expenditures provisions, makes it a crime. Also makes  
13 it a crime to aid and abet the violation.

14 And furthermore, provides for treble damages,  
15 which means three times the amount that was illegally  
16 expended or received. So, and that's a mandatory fine  
17 that is not waivable by anybody.

18 We are giving the Attorney General the  
19 authority to investigate and prosecute any violation  
20 related to this foreign money prohibition, which after  
21 a long time, we've been able to put in a single code  
22 section, which makes it much easier to read and digest.

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1           We started out with a bill that came over from  
2           the Senate that was over 200 pages long. We started on  
3           Tuesday with a bill that was 21 pages long. We ended up  
4           with a bill we passed this morning that is only about  
5           five pages long.

6           So, I keep saying that the shortest distance  
7           between two points is a straight line. Let's try to be  
8           as clear and concise as we can to avoid any inadvertent  
9           mistakes which happen when you're writing a very long  
10          bill on a very complex subject.

11          The reason we're giving the Attorney General  
12          this authority is because the Attorney General has a  
13          bigger shop with greater expertise in complex cases,  
14          with greater expertise in delving into where we might  
15          find this foreign money, which will be difficult to  
16          track even under optimal circumstances.

17          And the Attorney General has more  
18          investigative tools in the toolbox than does the Ohio  
19          Elections Commission. The Ohio Elections Commission is  
20          a fine organization, but it moves at glacial speed.

21          And often is completely unable to render any  
22          kind of effective relief prior to the actual election,

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1 and often for many years thereafter. A good example is  
2 the case of Mr. Freeman, who ran for state  
3 representative some, let's see, five years ago, four  
4 years ago.

5 Thank you. And just this year, the fine was  
6 finally levied for the violations in that case by the  
7 Ohio Elections Commission. So, that is one of the  
8 reasons why we're giving the Attorney General this  
9 authority.

10 We're patterning this authority after the  
11 authority that he already has to investigate and  
12 prosecute Medicaid fraud and workers' compensation  
13 fraud. We had no problem with that. So, what we're  
14 trying to do here, folks, at least what we all should  
15 be trying to do, is ferret out the evil construct of  
16 foreign money on our elections.

17 This is not a good thing. And I remember from  
18 2016 to 2018, or thereabouts, we heard from the  
19 National Democrats, and who appointed a special  
20 prosecutor to look at this question, rather than going  
21 through the Federal Elections Commission.

22 All we heard for three years from Mueller and



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1 the gang was, Russia, Russia, Russia, Russia, Russia.  
2 Everybody was concerned about Russian influence in the  
3 2016 presidential election. We are now concerned about  
4 other forms of foreign interference.

5 It is a dangerous world out there. The Chinese  
6 are busy hacking our systems, doing everything they can  
7 to pollute the values of our children. They are not our  
8 friends. There are many other countries around the  
9 world that are not our friends.

10 And we believe that Ohioans should decide  
11 ballot questions only with money that comes from other  
12 Americans. Okay? So that is what we have put together  
13 and we're very proud of it. We hope this is a step  
14 forward. It already is illegal under Ohio law for these  
15 organizations to spend foreign money on candidates.

16 We're simply extending that proposition to  
17 statewide ballot issues. We reformed the bill so as not  
18 to apply to local issues, like the local park levy or a  
19 local liquor option, precinct liquor option bill. We  
20 made that change. So we're trying to just go after,  
21 with a fairly narrow brush, what we're really trying to  
22 prohibit.

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1           Ballot initiatives will be able to continue  
2 just as they have in recent years and probably will  
3 continue for more years to come so long as the campaign  
4 committee for that ballot issue just takes in money  
5 from American interests and does not take in money from  
6 foreign interests.

7           If they take in money from foreign interests,  
8 they are not allowed to spend that money on the ballot  
9 campaign. And so, they still have a way forward.  
10 They've got plenty of folks, 330 million Americans or  
11 so thereabouts, from whom to solicit money for their  
12 ventures.

13           They do not need to widen that universe of  
14 people to include folks who are citizens of countries  
15 that may be our enemies nationally and internationally.

16           So with that, I would urge support for this  
17 bill and appreciate the work of the committee,  
18 appreciate Chairman Peterson's work, appreciate the  
19 work that I did collaboratively with our Senate friends  
20 to reach this point. And hopefully, we will be able to  
21 get something passed here today and move it over to the  
22 other Chamber. Thank you.

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1 REP. STEPHENS: The question is shall the bill  
2 pass? The Chair recognizes Representative Isaacsohn.

3 REP. ISAACSOHN: Thank you, Mr. Speaker. I  
4 move to amend House Bill 1 with Amendment 2266.

5 REP. STEPHENS: The amendment is in order and  
6 the gentleman may proceed.

7 REP. ISAACSOHN: Thank you, Mr. Speaker. I  
8 rise today to urge that we take a unique opportunity to  
9 do both the right thing when it is actually the easier  
10 thing to do.

11 This amendment would retain the authority to  
12 investigate and prosecute allegations and violations  
13 with the bipartisan professionals at the Ohio Elections  
14 Commission and an independent prosecutor, instead of  
15 what the bill does, which is pursue yet another attempt  
16 to limit the voices of the people of Ohio and give more  
17 power to the already far too powerful.

18 We all know that this special session has  
19 nothing to do with the Governor being concerned about  
20 whether the President can get on the ballot or not.  
21 This session was convened on the basis that Ohioans  
22 should only have the right to vote for the sitting

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1 president of the United States if they are willing to  
2 trade away some of their other democratic rights.

3 That is what we are doing here today. We are  
4 demonstrating to voters that their politicians only act  
5 with urgency to grab power, that political civility can  
6 be thrown aside and that mistrust of government is well  
7 founded.

8 I both want us to be better than that, and,  
9 happen to know that the vast majority of people in this  
10 Chamber are in fact above that kind of behavior. The  
11 real issue we are here to address is also not the  
12 sinister influences that the Lieutenant Governor  
13 ominously alluded to recently that he claims affected  
14 our ballot initiatives.

15 Ohio voters did not reject last year's August  
16 power grab because they were duped. Ohio voters did not  
17 overwhelmingly vote to protect reproductive rights or  
18 to legalize cannabis because they were influenced by  
19 foreigners.

20 Ohio voters voted to retain their rights  
21 because they know what they want and they are willing  
22 to fight for what they deserve. It is insulting and

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1 embarrassing to suggest otherwise. Foreign  
2 contributions in campaigns are already illegal under  
3 federal law.

4 But if we want to clarify state law to match  
5 federal law, that would be fine with us. We oppose  
6 foreign money in our politics and would support a clean  
7 bill that actually did that. Instead, this bill uses  
8 vague language to create a culture of fear and  
9 confusion around engaging in political activity.

10 It is a terrifying power grab by the Attorney  
11 General. I know the bill was only introduced late last  
12 night, and most people probably haven't had a chance to  
13 dive into the details. So let me explain briefly.

14 Again, foreign contributions are already  
15 illegal. When the Ohio Election Commission currently  
16 has reason to believe that those illegal activities are  
17 taking place, they investigate and then they refer to  
18 an independent prosecutor who is not involved in state  
19 campaigns.

20 This bill goes far beyond the 13 words that  
21 would have been necessary to codify federal law into  
22 the state code. It transfers authority from an

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1 independent prosecutor to a statewide politician, the  
2 Attorney General, who has demonstrated over and over  
3 again a willingness to use his office to pursue  
4 political gains.

5 Just this week, a federal court found him to  
6 be holding up a ballot initiative process, and another  
7 federal trial has demonstrated the ways in which he  
8 worked against a potential repeal for House Bill 6.

9 This bill creates an incredibly confusing and  
10 broad set of potential violations and gives the ability  
11 to allege those violations to any voter in Ohio, then  
12 granting the exclusive power to investigate and  
13 prosecute those alleged violations to that same  
14 Attorney General who is already so involved in ballot  
15 initiatives.

16 What is even an indirect contribution? If a  
17 board member of the restaurant association, for  
18 example, or another corporation is a foreign national,  
19 are all of the political contributions from that  
20 association or company's attendant PACs or committees  
21 subject to violations?

22 What about a college student whose grandfather

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1 sends them \$100 from Ireland for their birthday, and  
2 then they go and they buy some markers and some signs  
3 and they go and protest for their rights, for their  
4 reproductive rights at an issue campaign?

5 With the confusion of a poorly drafted and  
6 rushed bill, we will need the Election Commission to  
7 weigh in and investigate more than ever. But as the  
8 bill sponsor noted, the bipartisan professionals at the  
9 Ohio Elections Commission were taking too long for the  
10 Senate Majority's liking.

11 So this bill decides to take direct aim at due  
12 process and say, "You're not going fast enough. We want  
13 allegations to go directly to the Attorney General. We  
14 don't want due process from the Ohio Elections  
15 Commission.

16 It's taking too long. We want a politician  
17 with clear conflicts of interest to be able to  
18 investigate and prosecute immediately."

19 That's what the bill proposes, and the public  
20 deserves to know why legislators are caving to  
21 extremism by jamming this through in a special session.  
22 Ohioans know a citizen-led ballot initiative to reform

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1 the redistricting process is likely coming our way in  
2 November, and they know that people in power are shaken  
3 to their core.

4 Because when citizens, not politicians, draw  
5 new maps, it will begin to dismantle an unaccountable,  
6 unrepresentative, gerrymandered supermajority. This  
7 bill is an attack at the root of our democratic  
8 process.

9 It is perfectly okay for us to disagree, even  
10 vehemently, on the issues we are sent here to work on,  
11 taxes, education, health care, housing, child care.  
12 Governing is difficult and complex, and we have plenty  
13 of legitimate disagreements about the right path  
14 forward to have.

15 But we cannot afford to disagree when it comes  
16 to our fundamental democratic principles. That is where  
17 we have to stand firm as Ohioans and as Americans. This  
18 bill is an affront to the people of Ohio.

19 It attacks their right to organize, to  
20 advocate for causes they believe in, and to engage in  
21 the deeply American activity of coming together to  
22 fight for a better future. Most of us did not come here



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1 to deprive them of those rights. And we shouldn't be  
2 doing the bidding of the few people in power who did.

3 My amendment would prevent this outrageous  
4 power grab and maintain existing law to keep  
5 enforcement authority with an independent prosecutor.  
6 It is simple, it is the right thing to do, and it's  
7 what Ohioans deserve. I urge you to support it.

8 REP. STEPHENS: The question is shall the  
9 motion to amend be agreed to? The Chair recognizes  
10 Representative Seitz.

11 REP. SEITZ: Thank you once again, Mr.  
12 Speaker. I rise briefly to respond. First of all, the  
13 Ohio Elections Commission does not consist solely of  
14 lawyers. This is, as my friend noted, a complex matter.  
15 He spun out a few hypotheticals. It does not lend  
16 itself to being adjudicated by folks that do not have  
17 legal training.

18 Second of all, the Attorney General's power  
19 that we are giving him under this bill is strictly  
20 limited to cases where there are violations of the  
21 foreign money section.

22 It is not a plenary grant of authority to the

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1 Attorney General to do whatever he wants with respect  
2 to any other form of campaign violation. Those have  
3 historically been dealt with by the OEC, and they will  
4 continue to be dealt with by the OEC.

5 But this unique area where you're trying to  
6 trace money back through a labyrinthine chain requires  
7 the sort of investigatory tools that the Attorney  
8 General has and the county prosecutors do not have.

9 The county prosecutors are fine people, but  
10 they have limited bandwidth for international  
11 investigations, and it would be a joke to say that  
12 they, too, do not have political ambitions and  
13 aspirations of their own.

14 We have gone through this at the federal  
15 level. They had—I mentioned Mueller before, all right?  
16 So you want to turn it over to an independent  
17 prosecutor. Independent like Jack Smith, independent  
18 like Mueller. Yeah, fine. We all know that they're not  
19 independent.

20 We all know that they're on an orchestrated  
21 witch hunt to prevent the Republican candidate for  
22 President from being able to run. The fact of the

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1 matter is, Lawrence Tribe, who's one of the most  
2 liberal professors there is from Harvard University,  
3 wrote this back in 2021.

4 "Regulating political spending by corporations  
5 with significant foreign ownership is consistent with  
6 the Constitution and Supreme Court precedent. Indeed,  
7 concern about potential foreign influence over our  
8 democratic politics is written into the Constitution  
9 itself. And while the Supreme Court has held that the  
10 First Amendment prohibits limits on independent  
11 expenditures in general, it has made an important  
12 exception for spending by foreign nationals.

13 Federal law already prohibits foreign  
14 nationals, a category defined by federal law to include  
15 foreign governments, corporations incorporated or with  
16 their principal place of business in foreign countries,  
17 and individuals who are not U.S. citizens or lawful  
18 permanent residents, from spending money on state,  
19 federal, or local elections."

20 And that has been upheld as to state, federal,  
21 state, and local candidate elections in the Blumen  
22 case, which no doubt we will be discussing perhaps

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1 later in this debate. So, I do not see any reason to  
2 vest the complex authority that we need to give the AG  
3 in the OEC, which has been slow, lacks the  
4 investigative tools to do the job, and frankly, lacks  
5 the budget to do the job because they are pretty well  
6 hanging on by a thread over there.

7 And this would be a significant additional  
8 undertaking if, in fact, there is foreign money  
9 affecting our elections at any level. So, with that, I  
10 would urge that the amendment be tabled.

11 REP. STEPHENS: The question is shall the  
12 motion to amend be agreed to? The Chair recognizes  
13 Representative Oleslager.

14 REP. OLESLAGER: Mr. Speaker, I move to lay  
15 the amendment on the table.

16 REP. STEPHENS: The House will prepare -- the  
17 question is shall the motion to amend be laid upon the  
18 table? The House will prepare and proceed to vote. All  
19 members now voted. The Clerk will read the roll.

20 CLERK: Sixty-four affirmative votes and 31  
21 negative.

22 REP. STEPHENS: With 64 affirmative votes and

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1 31 negative votes, the motion is laid upon the table.  
2 The question is Shall the bill pass? The Chair  
3 recognizes Representative Stewart.

4 REP. STEWART: Thank you, Mr. Speaker. I move  
5 to amend with Amendment Number 2262.

6 REP. STEPHENS: The amendment is in order, and  
7 the gentleman may proceed.

8 REP. STEWART: Thank you, Mr. Speaker. This  
9 amendment would define foreign national under Ohio law  
10 to include lawful permanent U.S. residents, also  
11 referred to as green card holders, and prohibit green  
12 card holders from making contributions or expenditures  
13 under the bill.

14 It's important to remember that in 2022, 77  
15 percent of Ohioans went to the ballot and approved a  
16 constitutional amendment to say that noncitizens,  
17 including green card holders, cannot vote in Ohio  
18 elections.

19 Unfortunately, the bill that we have before us  
20 today says that these same noncitizen green card  
21 holders who cannot vote in our elections are for some  
22 reason still nevertheless allowed to spend millions of

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1 dollars potentially to influence those same elections  
2 that they are barred from voting in.

3 This makes no sense as a matter of public  
4 policy. If we are trying to ban foreign influence and  
5 foreign money in our elections, then let's actually do  
6 it. House Bill 1, as it's currently drafted, contains a  
7 glaring loophole, and we should close it.

8 And that's what this amendment would do.  
9 Without this amendment, folks, the Biden administration  
10 can fast track a green card for their favorite  
11 preferred foreign billionaire of the day from  
12 Switzerland or elsewhere before the ink is even dry on  
13 House Bill 1.

14 We are well within our legal rights to do this  
15 under federal law. In the case of *Blumen v. FEC*, future  
16 Supreme Court Justice Brett Kavanaugh wrote for the  
17 court and summarized a lot of longstanding case law  
18 regarding the ability to regulate foreign national  
19 participation in our elections. And in that case, he  
20 wrote in those many decisions, the Supreme Court of the  
21 United States has drawn a fairly clear line.

22 The Governor may exclude foreign citizens from

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1 activities intimately related to the process of  
2 democratic self-government. As the court has written, a  
3 state's historical power to exclude aliens from  
4 participation in its democratic political institutions  
5 is part of the sovereign's obligation to preserve the  
6 basic conception of a political community. In other  
7 words, the government may reserve participation in its  
8 democratic political institutions to citizens of the  
9 country.

10 We read these cases and set forth a  
11 straightforward principle. It is fundamental to the  
12 definition of our national security that foreign  
13 citizens do not have a constitutional right to  
14 participate in, and thus may be excluded from,  
15 activities of democratic self-government.

16 It follows, therefore, that the United States  
17 has a compelling interest for purposes of First  
18 Amendment analysis in limiting the participation of  
19 foreign citizens in activities of American democratic  
20 self-government and in thereby preventing foreign  
21 influence over the U.S. political process.

22 Now, we may have some more discussion about

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1 the law, but respectfully, if someone reads that  
2 language to say that we somehow cannot bar non-citizen  
3 green card holders from participating in our elections,  
4 we're going to respectfully but very, very strongly  
5 disagree. Ohio is well within our rights to exclude  
6 green card holders from spending money on ballot  
7 issues.

8 This exact language has been in every version  
9 of the foreign money ban that has come back from the  
10 Senate to this point. This amendment enhances the bill,  
11 it enhances its chances for final passage, and if I had  
12 any belief whatsoever that including this amendment  
13 would jeopardize the enforceability of the overall  
14 bill, I would not offer it.

15 For those that plan to vote on this bill  
16 today, you can't go home and tell your constituents  
17 that you banned foreign money when you left over  
18 100,000 foreign nationals legally able to contribute  
19 money in Ohio elections.

20 Without this amendment, House Bill 1 has a  
21 great big asterisk on it. It's not a foreign money ban.  
22 It's a Diet Coke foreign money ban. It's a neutered,



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1 watered down foreign money ban.

2 I believe based on conversations that most  
3 members of the Republican caucus support this policy,  
4 it's consistent with what Ohio voters did just two  
5 years ago. I would ask for a yes vote on this amendment  
6 and anticipating if we do get a motion to lay the  
7 amendment upon the table, I would ask that you vote no  
8 on tabling. Thank you.

9 REP. STEPHENS: The question is shall a motion  
10 to amend be agreed to? The Chair recognizes  
11 Representative Seitz.

12 REP. SEITZ: Thank you, Mr. Speaker. I  
13 appreciate the passion with which my colleague has  
14 argued to deviate from long-standing federal law and  
15 Ohio law in its definition of a foreign national based  
16 on a selective reading of the Blumen case and Judge  
17 Kavanaugh's opinion. That case went up to the Supreme  
18 Court and was affirmed without opinion. Courts often  
19 speak very pointedly through their footnotes in  
20 opinions.

21 And at the very end of that opinion, which  
22 admittedly said we could regulate contributions by

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1 foreign nationals as defined in federal law. And that  
2 definition excludes from the definition of foreign  
3 nationals, lawful permanent residents of the United  
4 States, also known as green card holders.

5 So the court said, yes, you can restrict  
6 foreign nationals from participating in the process.  
7 But lawful permanent residents are not defined under  
8 federal law or Ohio law as foreign nationals.

9 And so here is what Judge, now Justice  
10 Kavanaugh said at the very end of this Blumen case.  
11 There are important limits to our holding in this case.

12 We do not here decide whether Congress could  
13 constitutionally extend the current statutory ban to  
14 lawful permanent residents who have a more significant  
15 attachment to the United States than the temporary  
16 resident plaintiffs in this case.

17 Any such extension would raise substantial  
18 questions not raised by this case. Now, why would they  
19 have said that if they meant to say that jurisdictions,  
20 states and federal government could bar lawful  
21 permanent residents from any form of political  
22 participation? Why would they say it was a substantial

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1 question?

2 They are trying to tell us something by saying  
3 that. That's what they're trying to do. Now, I heard  
4 about, you know, maybe Biden could give his best  
5 millionaire friends a bunch of green cards tomorrow if  
6 we -- if we don't ban green card holders from  
7 participating.

8 The process of getting a green card is not  
9 susceptible to getting one overnight. We have collected  
10 the relevant statutory and regulatory references to  
11 that process. And depending on where you go to apply  
12 for your green card, it could take anywhere from 12 to  
13 24 months to get one.

14 I am concerned that we act today to ban  
15 foreign money as conventionally defined with foreign  
16 nationals and that if we do go beyond that, as this  
17 amendment would have us do, we are inviting the undoing  
18 of all of the otherwise good work that we are doing.

19 We can always come back in lame duck or a  
20 subsequent session and revisit this question. But in my  
21 experience, and I've had a lot of experience, and I  
22 guess people don't think experience matters very much

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1 anymore, but that's okay.

2 But in my experience, the General Assembly,  
3 whenever they try to push the envelope too hard and try  
4 to go swing for the fences, go for broke, hit the home  
5 run, whenever that happens, it generally blows up in  
6 our faces. Now, if the amendment passes, the amendment  
7 passes.

8 I think it would be a mistake to pass the  
9 amendment today. I personally would not have a problem  
10 banning green card holders from contributions on the  
11 rationale advanced by my friend. But it is not Judge  
12 Seitz who makes that decision.

13 It will ultimately be the judges of the  
14 federal district, circuit and Supreme Courts of this  
15 country. And many of them here in Ohio inclined towards  
16 the liberal side of the spectrum.

17 So if we want to get something done and have  
18 it be effective in time for the upcoming election,  
19 prudentially, we should leave the definition of foreign  
20 national alone. And therefore, I would urge that we  
21 table the amendment for the reasons stated.

22 REP. STEPHENS: The question is shall the

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1 motion to amend be agreed to? The Chair recognizes  
2 Representative Oelslager for a motion.

3 REP. OELSLAGER: Mr. Speaker, I move to lay  
4 the amendment on the table.

5 REP. STEPHENS: The question is shall the  
6 motion to amend be or the motion be laid upon the  
7 table? The House prepare and proceed to vote. All  
8 members now voted. Clerk will read the roll.

9 CLERK: Twelve affirmative votes, 82 negative  
10 votes. Therefore, the motion to amend was not laid upon  
11 the table.

12 REP. STEPHENS: By motion with 12 affirmative  
13 votes and 82 negative votes, the motion to lay the  
14 amendment on the table did not pass. So the question is  
15 shall the motion to amend be agreed to? The House will  
16 prepare and proceed to vote.

17 CLERK: I'm sorry.

18 REP. STEPHENS: It's canceled. What?

19 CLERK: This is on the amendment, not on the  
20 table. The board is reading it correct.

21 REP. STEPHENS: All right. So the motion on  
22 the floor is shall the motion to amend be agreed to?

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1 CLERK: Yeah.

2 REP. STEPHENS: You're going to cancel this  
3 one? All right. We'll do a do-over. All right. Have to  
4 change the title. Okay. All right. The question is  
5 shall the motion to amend be agreed to? The House will  
6 prepare and proceed to vote.

7 CLERK: Sorry about that.

8 REP. STEPHENS: All members now voted? The  
9 Clerk will read the roll.

10 CLERK: 59 affirmative votes, 36 negative  
11 votes.

12 REP. STEPHENS: With 59 affirmative votes and  
13 36 negative votes, the motion to amend is agreed to and  
14 becomes part of the bill.

15 CLERK: The question is shall the bill as  
16 amended pass?

17 REP. STEPHENS: The question is shall the bill  
18 as amended pass? The Chair recognizes Representative  
19 Sweeney.

20 MS. SWEENEY: This legislature has been deemed  
21 the least productive legislature since the creation of  
22 state government in Ohio. I find it unbearably ironic

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1 how we find ourselves here today.

2 We find ourselves here in a special election,  
3 forced to pass a bill under the guise of banning  
4 foreign money because our Governor and members of the  
5 majority party in the legislature all of a sudden care  
6 about money in our elections.

7 We heard in committee just yesterday from  
8 citizens who came from all across the state on a  
9 moment's notice, because of course, we had a rush  
10 process. And they said loud and clear, we do not trust  
11 you.

12 We do not trust you to protect our democracy  
13 and they have every reason to be skeptical. Do we  
14 really have to ask why they are skeptical? Let's take a  
15 walk down memory lane.

16 In my relatively short time in the House, I  
17 have watched the majority party bend the rules, subvert  
18 the constitution, move the goalpost, so that an  
19 unrepresentative, an unaccountable majority can stay in  
20 power.

21 Ohioans have watched as this body has refused  
22 to adhere to our state's highest court that demanded us

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1 to put maps for the people and not politicians. They've  
2 bared witness to this body stripping the power of the  
3 entire state school board because they started losing  
4 elections.

5 A body that removed the ability for them and  
6 their local governments to have special elections and  
7 then turn around and resurrect special elections for  
8 ourselves with their taxpayer money to the tune of \$20  
9 million of their hard-earned money for a failed power  
10 grab in August.

11 It seems as though the only time we act is to  
12 change the rules of the game to benefit power-hungry  
13 politicians that are up against the will of the voters.  
14 So how can a legislative body that loves to call itself  
15 the people's house, work so defiantly against the  
16 people?

17 The answer is political corruption through its  
18 unlimited access to dark money. We all know Ohio has  
19 been considered the most corrupt state house in the  
20 nation.

21 For those seeking to bribe politicians,  
22 influence the outcome of our elections, to enact pay to



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1 play legislation, our campaign finance laws in Ohio  
2 declare open season, they are screaming Ohio is open to  
3 the highest bidder.

4 We all know the real threat to democracy and  
5 it is this legislative's body unfettered connection  
6 with dark money. We have watched as the FBI has  
7 revealed how a bill can really become a law in the  
8 state house.

9 They walked us through the step by step  
10 process of buying legislations and politicians alike.  
11 Ohioans have watched as dark money has rained on their  
12 elections to help buy a now imprisoned speaker his  
13 gavel.

14 And this bill does nothing to address that.  
15 And as many people in this room know all too well,  
16 we've seen the same tactics in these past primaries.  
17 Millions of dollars being spent with no plausible idea  
18 of where it's coming from, what their goal is, what it  
19 is that they want, nobody gives anything for free.

20 We know that dark money illegally buys  
21 elections, it's been proven in a court of law. We know  
22 that it is untraceable without FBI intervention. We

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1 know that it is rampant and ongoing in Ohio. How is it  
2 that we are not rushing to fix this problem?

3 How is it the Governor has not called a  
4 special election to fix this problem? I have sponsored  
5 the Ohio Anti-Corruption Act for the past six years.  
6 Unlike the proposal we have before us today, that bill  
7 actually gets at what we're pretending to care about in  
8 this proposal.

9 This act would actually go deeper to expose  
10 secret money in our elections and go after bad actors,  
11 foreign or domestic, who want to commit crimes in our  
12 state. The philosophy is simple.

13 If you're going to spend money influencing  
14 Ohioans, Ohioans deserve to know who you are and what  
15 you're about. I find it absurd that we would only cover  
16 one portion of this and not expose it across the board.

17 The sponsor is agreeing that this is still  
18 going to be difficult to find. We're going to have to  
19 rely on a tip, someone knowing about this, compared to  
20 allowing everyone to say who is spending money in their  
21 elections.

22 Our current laws protect bad actors and we're

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1 not actually getting at it. The current people in power  
2 didn't do a single thing to stop the House Bill 6  
3 scandal. Now we're going to give them more power and  
4 hope that they actually go after people who should be  
5 spending money in our elections?

6 Lastly, and I cannot say this more clearly,  
7 the bill that's the Ohio Anti-Corruption Act, that I  
8 think every single Democrat has been a sponsor on, has  
9 been around for decades, has an entire section  
10 dedicated to banning foreign money in ballot  
11 initiatives. The exact thing we're here to do. It does  
12 so simply and effectively-

13 REP. STEPHENS: I'd like to ask the  
14 Representative to keep the remarks to this particular  
15 bill, please.

16 MS. SWEENEY: Yes, that's what I'm talking  
17 about. That this bill is talking about banning foreign  
18 money in our elections. We can do that, and I have a  
19 bill that would do that, but we're removing three lines  
20 in code. The code section that says foreign nationals  
21 cannot contribute to political campaigns. We remove the  
22 caveat and then it implies to everyone.

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1 Or, if you don't like that way of doing it,  
2 there is an amendment in committee that said, let's add  
3 on to that and say foreign nationals cannot spend money  
4 in their elections for political contributions and in  
5 ballot initiatives.

6 That is something that Democrats support. That  
7 is something that we want and have been asking for  
8 decades. That provision has never received more than  
9 the first obligatory hearing.

10 I went back and looked. It is never, I have  
11 had no one ever ask a question or support of actually  
12 banning foreign money in elections. Why do we think  
13 then that now all of a sudden we care?

14 I know that the Ohioans that came to testify  
15 said it's because they started winning at the ballot  
16 box. I ask you to vote no and work in good faith to  
17 actually address a real problem that Democrats have  
18 been fighting for for decades.

19 REP. STEPHENS: The question is shall the bill  
20 as amended pass? The Chair recognizes Representative  
21 Russo.

22 MS. RUSSO: Thank you, Mr. Speaker. I will now

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1 make my motion to adjourn [inaudible]. Pursuant to rule  
2 82 and 83, that motion takes precedent.

3 REP. STEPHENS: The question is shall the  
4 House stand adjourned? The House will prepare and  
5 proceed to vote. Have all members now voted? All  
6 members now voted. The Clerk will read the roll,  
7 please.

8 CLERK: Thirty-one affirmative votes, 62  
9 negative votes.

10 REP. STEPHENS: With 31 affirmative votes and  
11 62 negative votes, the House will -- the special --

12 CLERK: The motion is not agreed to.

13 REP. STEPHENS: The motion is not agreed to.  
14 The question is shall the bill pass as amended. The  
15 chair recognizes Representative Russo.

16 MS. RUSSO: Thank you, Mr. Speaker. I wouldn't  
17 be doing my job if I didn't give that a try. So what  
18 has transpired over the last week of this special  
19 session is anything but special.

20 What this body has done to get us here today  
21 with House Bill 1 has been littered with manipulation  
22 and lies that some have been telling to the public.

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1           So I am going to directly address the voters  
2           who I know many are tuning in today to see what  
3           happens, because here's the reality of what's going on.  
4           This body and the Chamber across the state house has  
5           created a fear factor around so-called foreign money.  
6           Money that is already illegal in federal law and  
7           applies to state campaigns.

8           It is a fantasy that has been concocted as a  
9           Trojan horse to once again attack the people's  
10          fundamental freedom to direct democracy and that  
11          freedom to change government when that government is no  
12          longer accountable, which has been the case in Ohio  
13          State government for at least two decades.

14          They are scared and they are desperate. And to  
15          the people who are watching, I want to say that many  
16          folks in this Chamber, they know what your power is,  
17          your actual power. And they know that they are losing  
18          because of it.

19          The truth that people need to hear is that  
20          House Bill 1 is an attack on citizen-led ballot  
21          initiatives. The truth is that you, the people, have  
22          defeated various attempts by this body and the body

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1 across the state house to limit your personal freedoms.

2 And the truth is they are trying to do that  
3 again and changing the rules because they know what is  
4 ahead in November. And to the many people and my  
5 colleagues who are here in this room, I say to you, the  
6 people are greater, they are braver, and they are  
7 stronger, and they are certainly much smarter than you  
8 give them a credit for.

9 And despite this preemptive attack against the  
10 upcoming citizen-led ballot initiative that will give  
11 the people, not the politicians, the power to choose  
12 their own government, the people will not be fooled.

13 And come November, they will begin to  
14 dismantle your grip on power. Your power grab today  
15 will not be forgotten in November, just as it was not  
16 forgotten in August when you were defeated, just as it  
17 was not forgotten in November, last November, when you  
18 were defeated. The people spoke loud and clear last  
19 year that the values of many of you in this room and  
20 the policies that you pass do not reflect their values.

21 And they will do it again in November in spite  
22 of this latest effort, and you will lose again. Mr.

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1 Speaker, I urge a no vote on this bill.

2 REP. STEPHENS: The question is shall the bill  
3 as amended pass? The Chair recognizes Representative  
4 Peterson.

5 REP. PETERSON: Thank you, Mr. Speaker. And I  
6 also want to thank the Governor's Committee that spent  
7 the last three days hearing extensive testimony,  
8 working through an issue.

9 I certainly want to thank the sponsor who's  
10 done extensive work on this issue going back several  
11 weeks even. I also want to point out Riley Eberhardt,  
12 my staffer who probably had 40 hours of work in by  
13 Wednesday afternoon.

14 And all the clerk staff and caucus staff that  
15 while this was probably a lighter weekend, we could  
16 catch up to celebrate Memorial Holiday in honor of the  
17 veterans, and honor those people who lost their life,  
18 it became much more than that, and I appreciate the  
19 work that all of us have done to get to this point.

20 You know we have been working on this bill in  
21 government oversight, some version of this bill for  
22 several weeks now because it's an important issue.



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1           No foreign entity, whether it's Vladimir  
2           Putin, whether it's a government, whether it's a  
3           billionaire, whether it's anybody trying to influence  
4           our elections, we should not allow that.

5           Just as we don't allow it in any of our  
6           campaigns to take dollars in, we shouldn't allow them  
7           to affect any of our elections. When they do that, they  
8           take away, they dilute your vote. And I think we should  
9           have stopped it years ago. We do have rules in place,  
10          but I echo the comments of the sponsor of the bill.

11          Early in my career, I filed an election  
12          complaint with the Ohio Elections Commission. They did  
13          a great job. They resolved the issue, they addressed  
14          the issue, and said that the candidate I was running  
15          against lied about me.

16          Unfortunately, that ruling didn't come until  
17          six months after the election, after I'd already been  
18          seated in office and had served for five and a half  
19          months.

20          That's the challenge, and that's why we need  
21          this bill and this version of the bill, so that the  
22          elections don't get distorted and we don't recognize

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1       that it happened six months or a year or two years,  
2       four years after the election.

3               This is important. It's been well vetted. The  
4       committee's done work on it, not just this week, but in  
5       previous weeks. I urge a yes vote. Ohioans should  
6       determine Ohio elections. Please vote yes.

7               REP. STEPHENS: The question is shall the bill  
8       as amended pass? The House will prepare and proceed to  
9       vote. All members now voted, the Clerk will read the  
10      roll.

11              CLERK: Sixty-four affirmative votes, 31  
12      negative votes.

13              REP. STEPHENS: With 64 affirmative votes and  
14      31 negative votes, having received the required  
15      constitutional majority, the bill is hereby passed and  
16      entitled.

17              CLERK: An act to enact the revised code to  
18      modify the campaign finance law regarding foreign  
19      nationals and ballot issues.

20              REP. STEPHENS: The question is shall the  
21      title be agreed to? Representative Seitz moves to amend  
22      the title.

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1           If you wish to add your name to the title,  
2     please do so at this time. Without objection, the title  
3     is agreed to. Hearing no objection, the title is agreed  
4     to.

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 42 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio House of Representatives - 5-30-2024 -  
Special Session)

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5:13	<b>actual</b>	15:15	17:18, 17:20,
<b>ability</b>	6:22, 37:17	<b>affront</b>	19:18, 26:18,
13:10, 21:18,	<b>actually</b>	15:18	28:7, 28:21,
31:5, 43:3	10:9, 12:7,	<b>after</b>	29:3, 29:4,
<b>able</b>	21:5, 33:7,	5:20, 7:10,	29:8, 30:5,
5:21, 9:1,	33:9, 34:1,	8:20, 33:10,	30:8, 31:18,
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# **Exhibit M**



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# Transcript of Testimony of the Ohio Senate - Special Session

**Date:** May 31, 2024

**Case:** 2024 Ohio Campaign Finance Litigation

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TRANSCRIPT OF VIDEO-RECORDED

7

TESTIMONY OF THE

8

OHIO SENATE

9

MAY 31, 2024

10

SPECIAL SESSION

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20 Job No.: 540606

21 Pages: 1 - 52

22 Transcribed by: Christian Naaden

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2

1 P R O C E E D I N G S

2 CLERK: Mr. President, I'm directed to inform  
3 you that the House of Representative has passed the  
4 following bill in which is concurrent to the senate has  
5 requested. Amended Substitute House Rule Number 1,  
6 representative of sites and others to enact the section  
7 of the revised code and modify the campaign finance law  
8 regarding foreign nationals and ballot issues.

9 SEN. HUFFMAN: Stands as first consideration  
10 the chair recognizes Senator McColley for a motion.

11 SEN. MCCOLLEY: Thank you, Mr. President. I  
12 move the Article to Section 15C of the Ohio  
13 Constitution requiring a bill to be considered on three  
14 different days, be suspended with respect to amended  
15 substitute House Bill 1 and that it be considered a  
16 second time.

17 SEN. HUFFMAN: The question is, shall the  
18 motion be agreed to? Clerk will call the roll.

19 CLERK: Antani?

20 SEN. ANTANI: No.

21 CLERK: Antonio? Blessing?

22 SEN. BLESSING: Yes.

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3

1 CLERK: Brenner?  
2 SEN. BRENNER: Yes.  
3 CLERK: Chavez?  
4 SEN. CHAVEZ: Yes.  
5 CLERK: Cirino?  
6 SEN. CIRINO: Yes.  
7 CLERK: Craig?  
8 SEN. CRAIG: Yes.  
9 CLERK: Demora?  
10 SEN. DEMORA: Yeah.  
11 CLERK: Dolan?  
12 SEN. DOLAN: Yes.  
13 CLERK: Gavarone?  
14 SEN. GAVARONE: Yes.  
15 CLERK: Hackett?  
16 SEN. HACKETT: Yes.  
17 CLERK: Hicks? Hudson? Steve Hoffman?  
18 SEN. HOFFMAN: Yes.  
19 CLERK: Ingram?  
20 SEN. INGRAM: Yes.  
21 CLERK: Johnson? Kunze?  
22 SEN. KUNZE: Yes.

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4

1 CLERK: Landis?  
2 SEN. LANDIS: Yes.  
3 CLERK: Lang?  
4 SEN. LANG: Yes.  
5 CLERK: Manning?  
6 SEN. MANNING: Yes.  
7 CLERK: McColley?  
8 SEN. MCCOLLEY: Yes.  
9 CLERK: O'Brien?  
10 SEN. O'BRIEN: Yes.  
11 CLERK: Reineke?  
12 SEN. REINEKE: Yes.  
13 CLERK: Reynolds?  
14 SEN. REYNOLDS: [Inaudible].  
15 CLERK: Roegner?  
16 SEN. ROEGNER: Yes.  
17 CLERK: Romanchuck?  
18 SEN. ROMANCHUCK: Yes.  
19 CLERK: Rully [ph]?  
20 SEN. RULLY: Yes.  
21 CLERK: Schaffer?  
22 SEN. SCHAFFER: Yes.

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5

1 CLERK: Sherine?

2 SEN. SHERINE: Yes.

3 CLERK: Smith? Sykes?

4 SEN. SYKES: Yeah.

5 CLERK: Wilkin?

6 SEN. WILKIN: Yes.

7 CLERK: President Huffman?

8 SEN. HUFFMAN: Yes. With 30 yays and one nay  
9 the motion is agreed to. Chair recognizes Senator  
10 McColley for motion.

11 SEN. MCCOLLEY: Thank you, Mr. President. I  
12 moved to Article 2, Section 15 C of the Ohio  
13 Constitution requiring the bill to be considered on  
14 three different days to be suspended with respect to  
15 amended substitute House Bill No. 1 and then it will be  
16 considered the third time.

17 SEN. HUFFMAN: The question is, shall that  
18 motion be agreed to? Please call the roll.

19 CLERK: Antani?

20 SEN. ANTANI: Yes.

21 CLERK: Antonio? Blessing? Brenner? Chavez?

22 SEN. CHAVEZ: Yes.

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

6

1 CLERK: Cirino?

2 SEN. CIRINO: Yes.

3 CLERK: Craig?

4 SEN. CRAIG: [Inaudible].

5 SEN. DEMORA: [Inaudible].

6 CLERK: Dolan?

7 SEN. DOLAN: Yes.

8 CLERK: Gavarone? Hackett? Hicks-Hudson? Steve  
9 Hoffman?

10 SEN. HOFFMAN: Yes.

11 CLERK: Ingram?

12 SEN. INGRAM: Yes.

13 CLERK: Kunze?

14 SEN. KUNZE: Yes.

15 CLERK: Landis?

16 SEN. LANDIS: Yes.

17 CLERK: Lang?

18 SEN. LANG: Yes.

19 CLERK: Manning?

20 SEN. MANNING: Yes.

21 CLERK: McColley? O'Brien?

22 SEN. O'BRIEN: Yes.



Transcript of Testimony of the Ohio Senate - Special Session  
Conducted on May 31, 2024

7

1 CLERK: Reineke? Reynolds? Roegner?

2 SEN. ROEGNER: Yes.

3 CLERK: Romanchuck?

4 SEN. ROMANCHUCK: Yes.

5 CLERK: Rully?

6 SEN. RULLY: Yes.

7 CLERK: Schaffer?

8 SEN. SCHAFFER: Yes.

9 CLERK: Sherine?

10 SEN. SHERINE: Yes.

11 CLERK: Smith?

12 SEN. SMITH: Yes.

13 CLERK: Sykes?

14 SEN. SYKES: Yes.

15 CLERK: Wilkin?

16 SEN. WILKIN: Yes.

17 CLERK: President Huffman?

18 SEN. HUFFMAN: Yes. With 23 yays and eight

19 nays, the motion is agreed to. Bills for third

20 consideration?

21 SEN. SMITH: We've [inaudible].

22 SEN. HUFFMAN: Oh, very good. The question is

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8

1 shall the bill amended substitute House Bill Number 1  
2 pass? And the chair recognizes Senator McColley.

3 SEN. MCCOLLEY: Thank you, Mr. President. I  
4 rise in favor of amended substitute House Bill Number  
5 1. Without going into extreme detail, I'll just go  
6 quickly into what this bill does, given the fact that  
7 this will be the fifth time we've voted on some version  
8 of this proposal in the chamber.

9 It goes through and it -- it includes the  
10 prohibitions that we've voted on before. It would  
11 prohi- -- prohibited for a foreign national to make  
12 contributions directly into a campaign or through  
13 another entity.

14 It also includes the prohibitions that an  
15 entity act as a passthrough for those same  
16 contributions, and also includes the prohibitions we've  
17 already voted on that would prohibit somebody from  
18 aiding or facilitating those types of contributions and  
19 expenditures.

20 It also includes the provisions we included  
21 regarding the travel damages -- the triple damages  
22 otherwise known as where if somebody violates this,

Transcript of Testimony of the Ohio Senate - Special Session  
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9

1 they're going to be subject to triple the amount of  
2 money that they contributed in fines. They're also --  
3 if they received the money as a contribution, they  
4 would have to return the money to the donor as well.

5 The criminal offenses are slightly different.  
6 And so far, as when we passed our bill, we had a felony  
7 five that attached to the campaign treasurer of one of  
8 these groups where -- where they would certify  
9 initially that they had not received any foreign money  
10 and that they would not receive any foreign money.

11 This bill goes as far as saying that there  
12 will be criminal penalties but instead it will be a  
13 first-degree misdemeanor on the first offense and a  
14 fifth degree felony on the second offense for the  
15 foreign national who makes the contributions, the  
16 entity that receives the money, and for anybody who  
17 aids or facilitates. In that case it will only be a  
18 first-degree misdemeanor.

19 And as far at the enforcement mechanism that  
20 is included in this bill, it vest in the attorney  
21 general the enforcement authority to be able to conduct  
22 investigations and to be able to bring charges or bring

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10

1 civil penalties under this section. And so, the  
2 attorney general will have the ability to handle that.

3 As we've discussed before, that's important  
4 because inherently, we're dealing with what will be an  
5 international white-collar scheme to get this money  
6 into the State of Ohio. I don't think it's fair to  
7 scrap a local prosecutor with that type of case given  
8 the bandwidth that they may or may not have and given  
9 the international nature of this, the attorney general  
10 is better suited to handle these types of cases.

11 Now, what doesn't it do compared to some of  
12 the things we passed. Notably, some of the changes we  
13 had to the definition of expenditure and independent  
14 expenditure did not make it into this version. The  
15 version that requires committees in charge of statewide  
16 vowed initiatives and referendas to register as packs  
17 is not in this version.

18 It only applies to foreign national  
19 prohibition to statewide ballot issues and of course,  
20 candidate elections that were already illegal under  
21 Ohio law but not to local ballot issues. It removes the  
22 treasurer certification as I discussed before and

Transcript of Testimony of the Ohio Senate - Special Session

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11

1 removes language that would have better guarded against  
2 the comingling of these types of funds into an account  
3 and then using that account for expenditures going  
4 forward.

5 Ultimately, this bill is weaker. I'll be  
6 honest, this bill is weaker than what we have passed  
7 out of the senate previously. However, I do -- do think  
8 it still is a step in the right direction, it's still a  
9 bill worth passing, and it's still a bill that  
10 identifies this clear and present threat that we have  
11 to our elections and something that we should be taking  
12 care of going forward and we should be taking care of  
13 immediately. I urge passage of the bill.

14 SEN. HUFFMAN: Thank you, Senator. Chair,  
15 recognize Senator Demora.

16 SEN. DEMORA: Thank you, Mr. President. I move  
17 to amend with the number that ends in 2273.

18 SEN. HUFFMAN: Amendment is in order. I  
19 appreciate --

20 SEN. DEMORA: May I speak both for the  
21 amendment and then --

22 SEN. HUFFMAN: Absolutely.

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12

1 SEN. DEMORA: -- and then after the --

2 SEN. HUFFMAN: Yes. Sure.

3 SEN. DEMORA: Okay. Thank you, Mr. President.  
4 So this amendment is very simple. This amendment would  
5 get rid of foreign money on ballot issues and only get  
6 rid of foreign money on ballot issues.

7 It's basically -- it adds -- it attracts all  
8 the other stuff and it adds, I think it's eight or nine  
9 words that says that no foreign money can be used for  
10 ballot measures in Ohio.

11 It's plain and simple and does what the  
12 majority has wanted to do, that the minority has never  
13 been against, is banning foreign money on ballot  
14 issues. Thank you, Mr. President.

15 SEN. HUFFMAN: Thank you. We -- we'll -- we'll  
16 deal with the amendment and then we'll recognize to  
17 speak to the bill.

18 SEN. DEMORA: Okay. Thank you, sir.

19 SEN. HUFFMAN: That's all right, Senator.  
20 Senator McColley is recognized to speak to the proposed  
21 amendment.

22 SEN. MCCOLLEY: Thank you, Mr. President. I

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13

1 rise in opposition to the amendment because what it  
2 really does, is it fails to put in place any legitimate  
3 penalties that would act as deterrents to this type of  
4 activity.

5 Let's keep in mind that we're talking about  
6 multi-million dollar schemes sometimes orchestrated by  
7 groups that have over a billion dollars under their  
8 management or multi billion dollars under their  
9 management or billionaires who are coming in and trying  
10 to put their thumb on the scale in Ohio's elections.

11 Without the penalties included in this bill,  
12 there's going to be simple cost benefit analysis done  
13 by man of these people and they're probably going to  
14 decide it's still worth going awry of the statue if it  
15 means that they can still contribute and put their  
16 thumb on the scale in the State of Ohio and interfere  
17 with our elections as a foreigner in the State of Ohio.

18 And so, I would urge and argue that even  
19 though the -- the other side of Ohio had indicated that  
20 they would be against this type of activity, evidently,  
21 they may not be in favor of levying serious penalties  
22 for this type of activity. And so, I would urge that we

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14

1 defeat the amendment.

2 SEN. HUFFMAN: Thank you, Senator. Chair  
3 recognizes Senator Gavarone.

4 SEN. GAVARONE: Thank you, Mr. President. I  
5 move that we lay the amendment upon the table.

6 SEN. HUFFMAN: Motion is to lay the amendment  
7 on the table. Please call the roll.

8 CLERK: Antani?

9 SEN. ANTANI: Yes.

10 CLERK: Antonio?

11 SEN. ANTONIO: No.

12 CLERK: Blessing?

13 SEN. BLESSING: Yes.

14 CLERK: Brenner?

15 SEN. BRENNER: Yes.

16 CLERK: Chavez?

17 SEN. CHAVEZ: Yeah.

18 CLERK: Cirino?

19 SEN. CIRINO: Yes.

20 CLERK: Craig?

21 SEN. CRAIG: No.

22 CLERK: Demora?



Transcript of Testimony of the Ohio Senate - Special Session  
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15

1 SEN. DEMORA: No.  
2 CLERK: Dolan?  
3 SEN. DOLAN: Yes.  
4 CLERK: Gavarone?  
5 SEN. GAVARONE: Yes.  
6 CLERK: Hackett?  
7 SEN. HACKETT: Yes.  
8 CLERK: Hicks-Hudson?  
9 SEN. HICKS-HUDSON: No.  
10 CLERK: Steve Hoffman?  
11 SEN. HOFFMAN: Yes.  
12 CLERK: Ingram?  
13 SEN. INGRAM: No.  
14 CLERK: Kunze?  
15 SEN. KUNZE: No.  
16 CLERK: Landis?  
17 SEN. LANDIS: Yes.  
18 CLERK: Lang?  
19 SEN. LANG: Yes.  
20 CLERK: Manning?  
21 SEN. MANNING: Yes.  
22 CLERK: McColley?

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16

1 SEN. MCCOLLEY: Yes.

2 CLERK: O'Brien?

3 SEN. O'BRIEN: Yes.

4 CLERK: Reineke?

5 SEN. REINEKE: Yes.

6 CLERK: Reynolds?

7 SEN. REYNOLDS: Yes.

8 CLERK: Roegner?

9 SEN. ROEGNER: Yes.

10 CLERK: Romanchuck?

11 SEN. ROMANCHUCK: Yes.

12 CLERK: Rully?

13 SEN. RULLY: Yes.

14 CLERK: Schaffer?

15 SEN. SCHAFFER: Yes.

16 CLERK: Sherine?

17 SEN. SHERINE: Yes.

18 CLERK: Smith?

19 SEN. SMITH: Yes.

20 CLERK: Sykes?

21 SEN. SYKES: No.

22 CLERK: Wilkin?

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17

1 SEN. WILKIN: Yes.

2 CLERK: President Huffman?

3 SEN. HUFFMAN: Yes. By vote of 24 to 7, the  
4 amendment is laid on the table. Senator Demora is  
5 recognized to speak to the bill.

6 SEN. DEMORA: Thank you, Mr. President. So, as  
7 my colleague said, this is the fifth time that we've  
8 talked about this and so I'll talk about it for the  
9 fifth just to be consistent. Actually, I talked about  
10 it in committees, so I think it's my sixth or seventh  
11 time.

12 Again, un- -- unlike what the majority  
13 communications director has to say about me and my  
14 colleagues, we are against foreign money and we just  
15 try to offer an amendment to band foreign money but I  
16 guess that wasn't good enough because we've all known  
17 all along that this bill is not just for banding  
18 foreign money, it is for basically giving -- taking  
19 away rights of people due to ballot issues. It's giving  
20 power to the attorney general who in my mind doesn't  
21 deserve any extra power because he can't do the job he  
22 has now.

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1           This bill hurts citizens and hurts the ability  
2     for citizens to participate in ballot issues. And  
3     another thing that we've done today that, I guess from  
4     the time first in committee through today is, no --  
5     nobody in the senate has ever been able to testify in  
6     opposition to all the stuff we've done because they've  
7     all been amendments to other bills.

8           This has been -- we -- we waived the  
9     constitutional provisions for three hearings today and  
10    so nobody has ever been able to testify about the  
11    benefits and/or the negative things about this bill in  
12    hearing, in this chamber.

13          It's supposed to be the people's house, yet  
14    we've not given the people any ability to talk about  
15    why this would be bad for the State of Ohio. So with --  
16    with those two things in mind, it will be the last time  
17    I speak on this bill I hope. I mean, who -- who knows,  
18    but I urge a no vote. Thank you, Mr. President.

19          SEN. HUFFMAN: Thank you, Senator. Senator  
20    Antani is recognized for purposes of presentation of an  
21    amendment. Senator.

22          SEN. ANTANI: Thank you, Mr. President. Move

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1 to amend with AM2275.

2 SEN. HUFFMAN: The amendment is ordered.  
3 Proceed.

4 SEN. ANTANI: Thank you, Mr. President for  
5 allowing me to rise to offer this amendment. Overall, I  
6 support the goal of this bill, which is to prohibit  
7 foreigners from being able to contribute to -- to  
8 ballot issues, which is why I -- I voted for Senate  
9 Bill 215 when it came out of the senate.

10 And I think that hopefully it will accomplish  
11 that. However, that bill, Senate Bill 215 and now the  
12 bill coming back from the house, goes a step further,  
13 which is to say that the definition of foreign national  
14 includes lawful permanent residents commonly known as  
15 green card holders.

16 That is a big departure from longstanding  
17 federal law and presents an incredible issue to this  
18 bill. Just yesterday people were surprised with the  
19 Democrats voted against the table in motion of the  
20 amendment that put this language into the bill, because  
21 the Democrats want this in this bill so they can sue  
22 over it to get it struck down.

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1           It's long-standing supreme court law now via  
2   Citizens United, via Buckley that speech is money, that  
3   freedom of speech means you can donate to candidates  
4   and campaigns. That's long-standing case law. What's  
5   also long-standing case law since 1945, is to say that  
6   permanent lawful residents have the right to freedom of  
7   speech. That is going to get sued over in this bill.

8           And the entire thing is going to get struck  
9   down because we as the legislature are overreaching.  
10   Lawful permanent residents have the right to free  
11   speech, donating to candidates and campaigns.

12           By the way, this bi- -- this bill is supposed  
13   to be about ballot issues, but it extends the  
14   prohibition on green card holders to candidates as  
15   well, to candidates, but this is supposed to be about  
16   ballot issues only. And so, I want foreign nationals to  
17   be prohibited from giving to ballot issues and  
18   campaigns.

19           I don't know how this gets around the C4  
20   issue, but I think it at least prohibits a ballot issue  
21   campaign from accepting foreign national money. That's  
22   -- that's a good thing. But green card holders, they

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1 absolutely have the right to freedom of speech, and  
2 absolutely donating to campaigns and candidates is free  
3 speech.

4 And so, this is going to get mucked up in the  
5 courts. I want to see a bill that goes into law. I want  
6 to see a bill that prohibits foreign nationals from  
7 donating to ballot issue campaigns as they are  
8 prohibited from donating the candidates. But changing  
9 this long departure from federal law, a -- a critical  
10 free speech issue is going to cause this bill to get  
11 struck down, and so I urge your support.

12 SEN. HUFFMAN: Thank you. Chair recognizes  
13 Senator McColley for purposes of addressing the  
14 amendment.

15 SEN. MCCOLLEY: Thank you, Mr. President. I  
16 rise in opposition because one of the cases that wasn't  
17 mentioned was Blooming vs. FEC that I suspect we're  
18 going to take a deeper dive on -- later on in today's  
19 argument. But in essence, that case made it very clear  
20 that it is a compelling government interest.

21 Even though free speech is guarded, it is a  
22 compelling government interest for the United States to

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1 separate citizens from non-citizens, and so far, as a  
2 concern, their participation an acts of self-  
3 governance, which not only includes by the opinion  
4 voting but it also includes the act of political  
5 contributions.

6 And while in that case it didn't expressly  
7 deal with the foreign nationals not being able to  
8 contribute, if you read the opinion and you read it  
9 carefully, it makes it very clear that the legislatures  
10 can appeal -- can proceed piecemeal on this approach,  
11 and it does grant foreign natio- -- or, excuse me,  
12 green card holders the express ability to be able to  
13 contribute in these cases.

14 And in fact, it spends more time talking about  
15 the difference between citizens and non-citizens, which  
16 green card holders are not citizens. I urge that we  
17 defeat the amendment.

18 SEN. HUFFMAN: Good. Chair recognizes Senator  
19 Gavarone for a motion.

20 SEN. GAVARONE: Thank you, Mr. President. I  
21 move that we lay the amendment upon the table.

22 SEN. HUFFMAN: The motion is to lay the



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23

1 amendment on the table. Please call the roll.

2 CLERK: Antani?

3 SEN. ANTANI: No.

4 CLERK: Antonio?

5 SEN. ANTONIO: Yes.

6 CLERK: Blessing?

7 SEN. BLESSING: Yes.

8 CLERK: Brenner?

9 SEN. BRENNER: Yes.

10 CLERK: Chavez

11 SEN. CHAVEZ: Yes.

12 CLERK: Cirino?

13 SEN. CIRINO: Yes.

14 CLERK: Craig?

15 SEN. CRAIG: Yes.

16 CLERK: Demora?

17 SEN. DEMORA: Yes.

18 CLERK: Dolan?

19 SEN. DOLAN: Yes.

20 CLERK: Gavarone?

21 SEN. GAVARONE: Yes.

22 CLERK: Hackett?

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1 SEN. HACKETT: Yes.

2 CLERK: Hicks-Hudson? Steve Hoffman?

3 SEN. HACKETT: Yes.

4 CLERK: Ingram?

5 SEN. INGRAM: Yes.

6 CLERK: Kunze?

7 SEN. KUNZE: No.

8 CLERK: Landis?

9 SEN. LANDIS: Yes.

10 CLERK: Lang?

11 SEN. LANG: Yes.

12 CLERK: Manning?

13 SEN. MANNING: Yes.

14 CLERK: McColley?

15 SEN. MCCOLLEY: Yes.

16 CLERK: O'Brien?

17 SEN. O'BRIEN: Yes.

18 CLERK: Reineke?

19 SEN. REINEKE: Yes.

20 CLERK: Reynolds?

21 SEN. REYNOLDS: No.

22 CLERK: Roegner?

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1 SEN. ROEGNER: Yes.

2 CLERK: Romanchuck?

3 SEN. ROMANCHUCK: Yes.

4 CLERK: Rully?

5 SEN. RULLY: Yes.

6 CLERK: Schaffer?

7 SEN. SCHAFFER: Yes.

8 CLERK: Sherine?

9 SEN. SHERINE: Yes.

10 CLERK: Smith?

11 SEN. SMITH: Yes.

12 CLERK: Sykes?

13 SEN. SYKES: Yes.

14 CLERK: Wilkin?

15 SEN. WILKIN: Yes.

16 CLERK: President Huffman?

17 SEN. HUFFMAN: Yes. By a vote of 30 to 1, the  
18 amendment is laid on the table. Senator Blessing  
19 recognized to speak to the bill. Senator.

20 SEN. BLESSING: Thanks, Mr. President. I will  
21 be brief because I've been told to be brief by a few of  
22 my colleagues. But, you know, I just wanted to say I'm

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1 in support of House Bill 1 but I have to agree with my  
2 Democratic colleagues that money overall is a major  
3 problem.

4 Why is it okay for an American billionaire to  
5 dump millions into a campaign? It's still bad and it  
6 brings to mind Justice Louis Brandeis' admonishment  
7 that we can have vast wealth in the hands of a few or  
8 we can have democracy. We cannot have both.

9 He was right then and right today. But all  
10 this is downstream from the real problem. The collapse  
11 of anti-trust enforcement in the United States over the  
12 last 40 years. Concentration of economic power leads to  
13 concentration of political power, which corrupts our  
14 Democratic process.

15 It should come as no surprise that things like  
16 direct election of senators, initiative and referendum,  
17 and others came about during the early 20th century, a  
18 time of political and technological upheaval on the  
19 hailes of gilded age excesses. Many were called the  
20 illustration, the bosses of the senate.

21 If we really wish to solve the problem of  
22 money and politics, then a reexamination of anti-trust

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1     should be at the top of the list. Thank you, Mr.  
2     President.

3             SEN. HUFFMAN: Thank you, Senator. Senator  
4     Ingram is recognized for purposes of an amendment.

5             SEN. INGRAM: Thank you, Mr. President. I rise  
6     to present Amendment No. 2271.

7             SEN. HUFFMAN: The amendment is in order.  
8     Proceed.

9             SEN. INGRAM: Thank you, Mr. President.  
10    Actually, this is quite simple. It eliminates the  
11    provision of the bill to give the attorney general  
12    exclusive authority to prosecute violations of the  
13    bill, requires that the Ohio Elections Commission  
14    determines that the bill has been violated, the OEC  
15    must either impose the full amount of the applicable  
16    financial penalty or refer the matter to the  
17    appropriate prosecutor as determined under current law.

18            Mr. President, I appreciate the fact that some  
19    folks say that local prosecutors have so much to do and  
20    have little staff and all those other things. The  
21    reality is, is that unfortunately in these times  
22    especially, that to put that prosecution or that

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1 determination, that investigation into the hands of the  
2 attorney general would be detrimental to -- detrimental  
3 to some of the issues that are there on the ballot.

4 Some of those folks has nothing to do with  
5 money coming from Switzerland and wherever you said  
6 happening in issue one of last October, last November.  
7 It has to do with the idea that we do not need another  
8 way for people to be penalized.

9 You serve the possibility that the people want  
10 that change and of course, if you determine that that  
11 money and the attorney general is the only person  
12 making that determination, then shame on us for  
13 allowing that to happen. So it therefore, should be  
14 back in the hands of the -- the Ohio Elections  
15 Commission for them to make that determined, for them  
16 to do that investigation, those penalties.

17 And of course, another thing that happens is,  
18 is that there is no mention of any timelines. Like  
19 right now, the OEC has deadlines that they have to  
20 meet, 90 days, 60 days, whatever has to happen in those  
21 penalties, and that's not here. I don't think it was  
22 intended to be here. So I rise to make that amendment

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1 and hopefully you will allow it to not be taped.

2 SEN. HUFFMAN: Thank you, Senator. The chair  
3 recognizes Senator McColley for purposes of addressing  
4 the amendment.

5 SEN. MCCOLLEY: Thank you, Mr. President. And  
6 as I've detailed before, these cases are inherently  
7 complex. These cases are inherently international.  
8 These cases are inherently going to take an awful lot  
9 of time and difficulty and are going to need to full  
10 force and effect of the state government behind them.

11 And frankly, as much as people may argue that  
12 the attorney general shouldn't handle these types of  
13 cases and that maybe he is acting in bad faith in this  
14 case or another case or whatever the case may be.

15 The truth of the matter is, the attorney  
16 general was just elected by -- by a 20-point margin in  
17 our most recent statewide election. And so, the people  
18 of Ohio have voted to make sure the attorney general  
19 stay -- the attorney. They felt he was doing a good  
20 enough job to elect him by a 60 to 40 margin. And in  
21 this case, I don't see any problem with giving the  
22 attorney general this type of authority with the full

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1 weight, force, and effect of the State of Ohio, given  
2 the fact that these initiatives are inherently  
3 statewide initiatives. Thank you, Mr. President.

4 SEN. HUFFMAN: Thank you, Senator. Senator  
5 Gavarone is recognized for purposes of the motion.

6 SEN. GAVARONE: Thank you, Mr. President. I  
7 move that we lay the amendment upon the table.

8 SEN. HUFFMAN: The motion is to lay the  
9 amendment on the table. Please call the roll.

10 CLERK: Antani?

11 SEN. ANTANI: Yes.

12 CLERK: Antonio?

13 SEN. ANTONIO: No.

14 CLERK: Blessing?

15 SEN. BLESSING: Yes.

16 CLERK: Brenner.

17 SEN. BRENNER: Yes.

18 CLERK: Chavez?

19 SEN. CHAVEZ: Yes.

20 CLERK: Cirino?

21 SEN. CIRINO: Yes.

22 CLERK: Craig



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1 SEN. CRAIG: Yes.  
2 CLERK: Demora?  
3 SEN. DEMORA: No.  
4 CLERK: Dolan?  
5 SEN. DOLAN: Yes.  
6 CLERK: Gavarone?  
7 SEN. GAVARONE: Yes.  
8 CLERK: Hackett?  
9 SEN. HACKETT: Yes.  
10 CLERK: Hicks-Hudson?  
11 SEN. HICKS-HUDSON: [Inaudible].  
12 CLERK: Steve Hoffman?  
13 SEN. HOFFMAN: Yes.  
14 CLERK: Ingram?  
15 SEN. INGRAM: No.  
16 CLERK: Kunze?  
17 SEN. KUNZE: Yes.  
18 CLERK: Landis?  
19 SEN. LANDIS: Yes.  
20 CLERK: Lang?  
21 SEN. LANG: Yes.  
22 CLERK: Manning?

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1 SEN. MANNING: Yes.  
2 CLERK: McColley?  
3 SEN. MCCOLLEY: Yes.  
4 CLERK: O'Brien?  
5 SEN. O'BRIEN: Yes.  
6 CLERK: Reineke?  
7 SEN. REINEKE: No.  
8 CLERK: Reynolds? Roegner?  
9 SEN. ROEGNER: No.  
10 CLERK: Romanchuck?  
11 SEN. ROMANCHUCK: [Inaudible].  
12 CLERK: Rully?  
13 SEN. RULLY: Yes.  
14 CLERK: Schaffer?  
15 SEN. SCHAFFER: Yes.  
16 CLERK: Sherine?  
17 SEN. SHERINE: Yes.  
18 CLERK: Smith?  
19 SEN. SMITH: Yep.  
20 CLERK: Sykes?  
21 SEN. SYKES: No.  
22 CLERK: Wilkin?

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1 SEN. WILKIN: Yes.

2 CLERK: President Huffman?

3 SEN. HUFFMAN: Yes. With 24 yays and seven  
4 nays, the amendment is tabled. The chair recognizes  
5 Senator Smith for purposes of an amendment.

6 SEN. SMITH: Thank you, Mr. President. Move to  
7 amend with Amendment Number AM1352270.

8 SEN. HUFFMAN: The amendment is order. Please  
9 proceed.

10 SEN. SMITH: Thank you, Mr. President. This  
11 amendment would prohibit public utilities from  
12 recovering political expenditure costs. If we fully  
13 wanted to meaningfully address campaign finance or  
14 form, we could require dark money groups to identify  
15 their contributions and disclose their spending.

16 We could work on real solutions that put hard  
17 working everyday Ohioans over corrupt corporation --  
18 corporations and politicians. Unfortunately, we in this  
19 -- the, in the Ohio General Assembly have a reputation  
20 as a result of recent investigations as being one of  
21 the most corrupt states in the country and this  
22 amendment would help alleviate that.

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1           In January 2023, the Energy and Policy  
2     Institute re- -- released a report entitled getting  
3     politics out of the utility bills. The report begins  
4     with the following statement, "America's monopoly  
5     electric and gas utilities are using the money that  
6     they collect from customers monthly bills to fund  
7     political machines that puts legislation curry favor  
8     from regulators and alter the outcomes of elections,  
9     sometimes even breaking the law."

10           This legislation would do two things. It would  
11    prevent utilities from using rate payer money for  
12    political activity and will require mandatory  
13    disclosures that provide greater visibility into  
14    utilities political spending.

15           In the most general terms, Mr. President and  
16    colleagues of the senate, utility customers should not  
17    be forced to pay for political activity that they may  
18    not agree with. Eleven states have already introduced  
19    this legislation. Three states have passed it, and  
20    those states being Colorado, Connecticut, and Maine.

21           In a 2020 -- it's been reported that in a 2020  
22    presentation, FirstEnergy executive, Michel Dylan

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1 explained the reason FirstEnergy liked dark money was  
2 it allowed the count- -- the company to be deceptive.  
3 He said, "Our preferred manner of giving is through  
4 Section 501C groups, as these are considered dark money  
5 because they are not required to disclose where their  
6 donations come from."

7 The clear and present threat to Ohio's  
8 democracy is not overseas. It has a 330 area code. But  
9 as best as we can tell, FirstEnergy contributed \$2.5  
10 million under their own name and about \$63 million  
11 through dark money, totaling \$65.5 million. But here is  
12 the thing, all of these contributions were secret. The  
13 actual total amount could be much bigger. This is the  
14 multi-million-dollar scheme that we should be trying to  
15 prohibit.

16 Mr. President and members of the senate, this  
17 amendment would broaden the scope of Special Session  
18 House Bill 1, so that bad actors, foreign or domestic  
19 would be prohibited, and I urge its adaption. Thank  
20 you, Mr. President.

21 SEN. HUFFMAN: Thank you, Senator. The chair  
22 recognizes Senator McColley for purposes of addressing

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1 the amendment.

2 SEN. MCCOLLEY: Thank you, Mr. President. As I  
3 stated, today is the -- the days are running together --  
4 -- as I stated the last time we were in session, this is  
5 an issue that I -- I think may be worthy of a  
6 conversation but I think it needs an awful lot more  
7 thought and deliberation.

8 Anytime we deal with first amendment protected  
9 speech, and as -- as been already pointed out, Citizens  
10 United protects the speech even of these utility  
11 companies, believe it or not -- we need to make sure we  
12 threat lightly because there could be circumstances in  
13 which we trample upon the first amendment and  
14 ultimately finds ourselves in a position where the law  
15 eventually gets thrown out.

16 We need to make sure we do the due diligence  
17 as we have in various versions of this foreign national  
18 contributions band to make sure that we are not  
19 crossing the line and violating First Amendment Rights.  
20 So, worthy of further conversation but not under the  
21 context of this bill. Thank you.

22 SEN. HUFFMAN: Thank you, Senator. Senator

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1 Gavarone's recognized for purposes of the motion.

2 SEN. GAVARONE: Thank you, Mr. President. I  
3 move that we lay the amendment upon the table.

4 SEN. HUFFMAN: Move -- the motion is to lay  
5 the amendment on the table. Please call the roll.

6 CLERK: Antani?

7 SEN. ANTANI: No.

8 CLERK: Antonio?

9 SEN. ANTONIO: No.

10 CLERK: Blessing?

11 SEN. BLESSING: No.

12 CLERK: Brenner?

13 SEN. BRENNER: Yes.

14 CLERK: Chavez?

15 SEN. CHAVEZ: Yes.

16 CLERK: Cirino?

17 SEN. CIRINO: Yes.

18 CLERK: Craig?

19 SEN. CRAIG: No.

20 CLERK: Demora?

21 SEN. DEMORA: No.

22 CLERK: Dolan?

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1     SEN. DOLAN:   Yes.  
2     CLERK:   Gavarone?  
3     SEN. GAVARONE:   Yes.  
4     CLERK:   Hackett?  
5     SEN. HACKETT:   Yes.  
6     CLERK:   Hicks-Hudson?  
7     SEN. HICKS-HUDSON:   No.  
8     CLERK:   Steve Hoffman?  
9     SEN. HOFFMAN:   Yeah.  
10    CLERK:   Ingram?  
11    SEN. INGRAM:   No.  
12    CLERK:   Kunze?  
13    SEN. KUNZE:   No.  
14    CLERK:   Landis?  
15    SEN. LANDIS:   Yes.  
16    CLERK:   Lang?  
17    SEN. LANG:   Yes.  
18    CLERK:   Manning?  
19    SEN. MANNING:   Yes.  
20    CLERK:   McColley?  
21    SEN. MCCOLLEY:   Yes.  
22    CLERK:   O'Brien?



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1 SEN. O'BRIEN: Yes.

2 CLERK: Reineke?

3 SEN. REINEKE: Yes.

4 CLERK: Reynolds?

5 SEN. REYNOLDS: Yes.

6 CLERK: Roegner?

7 SEN. ROEGNER: Yes.

8 CLERK: Romanchuck?

9 SEN. ROMANCHUCK: No.

10 CLERK: Rully?

11 SEN. RULLY: Yes.

12 CLERK: Schaffer?

13 SEN. SCHAFFER: No.

14 CLERK: Sherine?

15 SEN. SHERINE: Yes.

16 CLERK: Smith?

17 SEN. SMITH: No.

18 CLERK: Sykes? Wilkin?

19 SEN. WILKIN: Yes.

20 CLERK: President Huffman?

21 SEN. HUFFMAN: Yes. By a vote of 21 yays and  
22 nays, the amendment is laid on the table. The chair  
recognizes Senator Antonio for purposes of speaking to

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1 the bill. Senator Antonio.

2 SEN. ANTONIO: Thank you, Mr. President. Well,  
3 how many times has been? Here we are again. I rise in  
4 opposition to House Bill 1 and as for all the reasons  
5 the Democrats have offered amendments in terms of the  
6 concern that we have with a non-inclusion, we are not  
7 addressing dark money. I appreciate the comments from  
8 our colleague and look forward to further discussions  
9 about how can we make sure that dark money is not  
10 coming into our elections process.

11 But in the meantime, what's happened in what  
12 I've heard referred to a couple times no is a watered-  
13 down version of what -- what the bill started as. I  
14 still think that there's -- I don't know about it being  
15 watered down or diluted, but I think that the outcome  
16 is still very, very dangerous.

17 And we've talked a lot about a poison pill. I  
18 still believe there is enough poison in this bill to  
19 really kill the will of the people as they go and bring  
20 forth ballot initiatives. So now, however, this version  
21 also really adds an incredible amount of power to the  
22 attorney general's office, someone who interestingly

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1 enough said, "I did not ask for the authority in this  
2 bill. I don't care whether it's in my office or someone  
3 else does the work."

4 So while he may have been elected by a  
5 majority of Ohioans as has been indicated over his  
6 opponent, he's indicating to us that he really doesn't  
7 necessarily want to take this on. Frankly, someone who  
8 has shown themselves to be partisan on many issues that  
9 he's taken up, gives me great cause and great concern  
10 about putting so much of this kind of power into an  
11 office, into a single person's office.

12 It was interesting that the hearings over in  
13 the house, we paid attention as this bill was moving  
14 through the house, and we heard testimony with concern.  
15 We also heard testimony that reinforces something the  
16 democrats have been saying in the house, in the senate,  
17 over and over again, foreign money is prohibited under  
18 a opinion by the Ohio Elections Commission that  
19 determine Ohio statutory structure sufficiently  
20 prohibits the involvement of any foreign national from  
21 participating in or contributing to an issue or  
22 question that will appear on the ballot. We have been

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1 saying this.

2 The attorney general also has a role already  
3 in ballot campaigns. But giving him the second role  
4 doesn't create the proper checks and balances that we  
5 all, not only embrace, but lift up as necessary. We'd  
6 like to believe -- I'd like to believe -- Catherine  
7 Turcer testified in the house and she said she'd like  
8 to believe that no AG would abuse their role in the  
9 process, but it could be tempting.

10 We need to make sure checks and balances are  
11 there. We have an Ohio Elections Commission right now.  
12 A better approach would be to really allow them to do  
13 the work that they need to do. Perhaps we should staff  
14 them up a little bit to make sure that they can make  
15 timely investigation is and give them broader  
16 investigative power and perhaps a larger budget.

17 But nothing in this legislation addressing how  
18 the lack of transparency led to House Bill 6 and the  
19 corruption scandal that still hangs as a cloud over our  
20 heads.

21 You know, a few days ago, I spoke about these  
22 bills and I called them a trojan horse. I said they

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1 looked innocent but they had the power to destroy the  
2 voice of the people and quash their ability to be able  
3 to bring something to the ballot, a ballot initiative.

4 You know, ballot initiatives are only brought  
5 when the people say that the legislature is out of  
6 stock with their wishes, with their opinions, with how  
7 they want to be treated in the State of Ohio.

8 Often, it's trying to get their rights back.  
9 So they've told us over and over again that this  
10 legislature is out of stock. But we keep on keeping on  
11 and now we're going to erode the power of the Ohio  
12 Elections Commission, give more power to the attorney  
13 general. It is complex but I still believe there is  
14 going be a question about how -- enforcement even with  
15 this bill.

16 And I wonder at what point is the federal  
17 government going to be asked to assist in enforcement  
18 in actually carrying this legislation forward or at  
19 least the will, the ideas, the desire behind this --  
20 this piece of legislation.

21 We haven't dealt with the issues of dark money  
22 and the scandal that still, as I said, hangs over us. I

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1 don't believe that Ohioans are getting a fair shake  
2 with this bill. I do believe that in spite of this  
3 bill, in spite of this legislation, the people of Ohio  
4 will prevail just as they have in the past three times.  
5 We've seen the work that they can do.

6           Never doubt the ability of a small group of  
7 people to change the world. Indeed, it's the only thing  
8 that ever has. Margeret Mead was right when she said  
9 that. I believe the people of Ohio will prevail with or  
10 without this piece of legislation, but I urge a no  
11 vote.

12           SEN. HUFFMAN: Thank you, Leader Antonio.  
13 Chair recognizes Senator McColley.

14           SEN. MCCOLLEY: Thank you, Mr. President. I  
15 wasn't planning on getting up and speaking but I wanted  
16 to address one issue in particular, but it -- it was  
17 suggested that this bill with her participation and  
18 ballot issues was dangerous and it would kill the will  
19 of the people. The people voted over 70 percent nearly  
20 a few years ago to say that non-citizens should not be  
21 able to vote in Ohio's elections.

22           I suspect the will of the people would also be

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1 that non-citizens should not be able to do in Ohio  
2 elections. So it's been suggested as well that this is  
3 already illegal and that somehow this -- what we're  
4 doing is duplicative.

5 Let me -- let me go into a little analysis on  
6 that. Some people have suggested that it is already  
7 illegal at the federal level, but the truth of the  
8 matter is that the current federal statute does not  
9 consider issues elections as elections, and therefore,  
10 the FEC does not have the ability to regulate those  
11 elections. And in fact, there were legislative  
12 recommend- -- recommendations offered by the FEC as  
13 recently as December 14th, 2023, in which it laid out  
14 its highest priority legislative recommendations.

15 The fifth highest priority was amend the  
16 foreign national prohibition to include state and local  
17 ballot initiatives, referenda, and recall elections. It  
18 also said that it would need to do that, that congress  
19 would need to do that in order for the FEC and federal  
20 law to be able to band foreign national contributions  
21 in federal elections. That is the FEC saying that.

22 That is also reflected in the bipartisan

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1 action that we've seen in congress very recently where  
2 a bipartisan house administration committee voted out  
3 unanimously a band on foreign national interference  
4 through their contributions in state-wide and local  
5 issues elections.

6 So it would appear that the federal government  
7 itself doesn't agree with the characterization that  
8 this is already illegal. Now, looking at the OEC  
9 opinion, it specifically makes reference to a specific  
10 division of this section that deals with this kind of  
11 conduct.

12 One of the first divisions deals with a  
13 specific unambiguous very clear ban in the law that  
14 talks about how you cannot spend foreign money in a  
15 candidate election. No ambiguity whatsoever.

16 The OEC opinion, which has never been  
17 litigated, has never gone in front of a court of law  
18 regarding foreign national contributions and foreign  
19 election and appearance in our issues elections, relies  
20 on a section that -- or a division that is near that  
21 division, that also talks about how general elections  
22 spending would be illegal for foreign nationals.



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1           It doesn't spell out in an ambiguous clear  
2       fashion that these types of expenditures are  
3       prohibited. So while I respect the people at the OEC  
4       and their personal opinion, it's very real possibility  
5       that a court of competent jurisdiction could come to a  
6       very different opinion in the event that this ever  
7       wound up in a court and could end up with a different  
8       interpretation of that law, which gets us to where we  
9       are today.

10           If it's -- even if you assume that it is  
11       illegal, then we absolutely should do this. If you  
12       assumed that it is already legal, then we should do it  
13       anyway. Or excuse me, I had that backwards. If you  
14       assume that this is legal, then we should do it anyway  
15       to rectify the ambiguity that is in the statute right  
16       now. If you assume that it is illegal, then we should  
17       absolutely do it.           Moreover, if it were already  
18       illegal and if the foreign nationals who we know are  
19       contributing into Ohio's elections actually shared that  
20       opinion, the cost benefit analysis that I referenced  
21       earlier that they are already making as to the  
22       likelihood of them succeeding if they ever have to go

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1 to court on this and the likelihood of them ever having  
2 to pay any sort of reasonable penalties that is  
3 associated with this, they wouldn't be making all these  
4 contributions into Ohio through their dark money  
5 entities. They wouldn't be making these types of  
6 contributions. Yes, they are.

7 That in and of itself highlights the need for  
8 us at the very best to rectify the ambiguity and at the  
9 very worst, to actually prohibit this in Ohio law with  
10 actual penalties that are going to be legitimate  
11 deterrents to this type of activity, because currently  
12 at the very best case, this is ambiguous and there are  
13 no penalties. Thank you, Mr. President.

14 SEN. HUFFMAN: Thank you, Senator. The  
15 question is, shall the bill pass? Please call the roll.

16 CLERK: Antani?

17 SEN. ANTANI: Yes.

18 CLERK: Antonio? Blessing?

19 SEN. BLESSING: Yes.

20 CLERK: Brenner?

21 SEN. BRENNER: No.

22 CLERK: Chavez?

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1 SEN. CHAVEZ: Yes.  
2 CLERK: Cirino?  
3 SEN. CIRINO: Yes.  
4 CLERK: Craig?  
5 SEN. CRAIG: No.  
6 CLERK: Demora?  
7 SEN. DEMORA: No.  
8 CLERK: Dolan?  
9 SEN. DOLAN: Yes.  
10 CLERK: Gavarone? Hackett?  
11 SEN. HACKETT: Yes.  
12 CLERK: Hicks-Hudson? Steve Hoffman?  
13 SEN. HOFFMAN: Yes.  
14 CLERK: Ingram?  
15 SEN. INGRAM: No.  
16 CLERK: Kunze? Landis?  
17 SEN. LANDIS: Yes.  
18 CLERK: Lang?  
19 SEN. LANG: Yes.  
20 CLERK: Manning?  
21 SEN. MANNING: Yes.  
22 CLERK: McColley?

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1 SEN. MCCOLLEY: Yes.  
2 CLERK: O'Brien?  
3 SEN. O'BRIEN: Yes.  
4 CLERK: Reineke?  
5 SEN. REINEKE: Yes.  
6 CLERK: Reynolds?  
7 SEN. REYNOLDS: Yes.  
8 CLERK: Roegner?  
9 SEN. ROEGNER: Yes.  
10 CLERK: Romanchuck?  
11 SEN. ROMANCHUCK: Yes.  
12 CLERK: Rully?  
13 SEN. RULLY: Yes.  
14 CLERK: Schaffer?  
15 SEN. SCHAFFER: Yes.  
16 CLERK: Sherine?  
17 SEN. SHERINE: Yes.  
18 CLERK: Smith?  
19 SEN. SMITH: No.  
20 CLERK: Sykes?  
21 SEN. SYKES: No.  
22 CLERK: Wilkin?

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1 SEN. WILKIN: Yes.

2 CLERK: President Huffman?

3 SEN. HUFFMAN: Yes. With 24 yays and seven  
4 nays, the bill is passed and titled.

5 CLERK: A bill to enact the section of the  
6 revised code and modify the campaign finance law  
7 regarding foreign nationals and ballot issues.

8 SEN. HUFFMAN: The question is, shall the  
9 title be agreed to? Any member would like to add their  
10 name to the title, please do so now.

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CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 51 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



June 6, 2024

Chris Naaden

(540606, Ohio Senate - 5-31-2024 - Special Session)

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